



# OAKLAND POLICE COMMISSION

## MEETING TRANSCRIPT

October 8, 2020

Regina Jackson: Welcome to the Oakland Police Commission meeting.

Juanito Rus: Chair Jackson, we haven't gone live yet.

Regina Jackson: Oh, sorry.

Juanito Rus: It's okay.

Regina Jackson: Please go ahead and count us down when you're ready.

Juanito Rus: All right, here we go. Three, two, one.

Regina Jackson: Good evening, and welcome to the Oakland Police Commission meeting for October, 8th. It is 6:30 and I would like to call this meeting to order. For the roll call I'd like to start with Commissioner Anderson. Are you here?

Tara Anderson : Present.

Regina Jackson: Thank you, Commissioner Dorado.

Jose Dorado: Present.

Regina Jackson: Thank you, Commissioner Gage?

Henry Gage, III: Present.

Regina Jackson: Thank you, Commissioner Harbin-Forte?

Brenda Harbin-Forte: Present.

Regina Jackson: Thank you, Commissioner Harris.

Ginale Harris: Present.

Regina Jackson: Thank you. I am here, Regina Jackson, and Commissioner Smith?

Thomas Lloyd Smith: Present.

Regina Jackson: Excellent, and Alternate Commissioner Chris Brown? I have unmuted you.

Chris Brown: Present.

Regina Jackson: Thank you. And Alternate Commissioner David Jordan?



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- David Jordan: Present.
- Regina Jackson: Terrific. We have a full house. We have a quorum and we will move on to the next item. This is the welcome and open forum. I am going to pass the mic over to Mr. Rus for us to hear from the public comment.
- Juanito Rus: Thank you, madame Chair. Prior to tonight's meeting, we received five written public comments. The public comments that were submitted were from ... excuse me, while I pull up my list. Michelle Gee, Ashley Ericsson, Jean Moses ... excuse me, this one is very small ... Terri McWilliams, and Mary Vail At this time if any member of the public would like to make a comment for item three, welcome purpose and open forum, you may raise your hand in the Zoom queue, and you will be called in the order in which your hands are raised. The first hand I see in the queue is a telephone attendee with the last digits, 0677. If you'll excuse me, just a second my clock is not closed. My apologies. Telephone attendee last four digits, 0677. Hello, can you hear us?
- Speaker 1: I'm actually interested in item number six.
- Juanito Rus: Very well, you can raise your hand at that time then, and we'll call you for that.
- Speaker 1: Thank you.
- Juanito Rus: Thank you, the next speaker in the queue is Bruce Schmiechen . Hello, Mr. Schmiechen, can you hear us?
- Bruce Schmiechen: Yes, I want to make this as a general comment. Can you hear me?
- Juanito Rus: We can hear you, yes, Bruce.
- Bruce Schmiechen: Bruce Schmiechen, Faith in Action East Bay, also Coalition for Police Accountability, and I want to make this as a general comment. It's applicable to item six, but it's not just applicable to item six. We cannot have general orders of the Oakland Police Department, that note extremely important issues, and then hive it off to a training bulletin with no discussion of what the actual requirements, restrictions, directives, et cetera are in that general order itself. Training bulletins are not public documents according to Chief Manheimer. She said that, I believe, at the last meeting or one of the recent meetings. So I just want to make that clear that any directive, that any general order that does that is not ready for prime time. Thank you.
- Juanito Rus: Thank you, Mr. Schmiechen. The next speaker in the queue is Rashidah Grinage. Good evening, Ms. Grinage, can you hear us?
- Rashidah Grinage: I can, thank you.
- Juanito Rus: Whenever you are ready.



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- Rashidah Grinage: I just wanted to ... can you hear me?
- Juanito Rus: Yes, whenever you're ready. I want you to start your time.
- Rashidah Grinage: Thank you. I wanted to express my appreciation to Commissioner Anderson, and Chair Jackson, and John Alden for their presentations at the City Council meeting on Tuesday. I think what they shared and their degree of passion, and commitment, and fidelity to the commission's voice was outstanding. And I think the police departments' conduct was appalling. Doing a last minute bait and switch was really unethical and they've done it before, and there's no question that they will probably do it again with the use of force. And that's one reason I think that the commission should take its time and make sure that this is not going to be the outcome when they finally upgrade the use of force policy to the City Council. Thank you.
- Juanito Rus: Thank you, Ms. Grinage. The next speaker in the queue is Megan Steffen 00:08:42]. Hello, Ms. Steffen, can you hear us?
- Megan Steffen: Yes, can you hear me?
- Juanito Rus: We can hear you, whenever you're ready.
- Megan Steffen: Thank you so much. I too wanted to thank Commissioner Anderson, both for her presentation at council and also for her service. I am sad to hear they'll be leaving. Thank you also to the other commissioners who'll be leaving. But I really wanted to talk about the racial traffic stop data. I'm looking at the item in the agenda where it says, "They will be prepared and released this week." And yesterday I was in a Community Policing Advisory Board meeting where Captain Chris Bolton said his understanding was that that data was to be released with the racial equity report today. And I am hoping that during the course of this meeting, we'll hear where that data, which Chief Manheimer said was going to be released on September 30th is, and when we'll be able to see it. [inaudible 00:09:37] used it in her presentation to City Council on Tuesday in aggregate, which as I've said before, I think is highly inappropriate. Given that the public cannot review the data and make sure that it's being represented accurately. Thank you.
- Juanito Rus: Thank you, Ms. Steffen. The next speaker in the queue is listed as Rachel Beck. Hello, Ms. Beck, can you hear us?
- Rachel Beck: Yes, I can hear you. Can you hear me?
- Juanito Rus: We can hear you and you have one minute whenever you're ready.
- Rachel Beck: Great, thank you. I would also like to thank Commissioner Anderson and I would like to say about the current proposed draft of the use of force policy, too much of the language of the draft was hashed out in secret, we need more transparency. Officers should be instructed to deescalate if possible, before using force on residents and that's not currently the case. Thank you.



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- Juanito Rus: Thank you, Ms. Beck. The next speaker in the queue is a telephone attendee with the last four digits, 0185. Hello, 0185. Can you hear us?
- Michele Lazaneo: This is Michele Lazaneo. One responsibility of this commission is to oversee OPDs policies, practices, and customs to meet or exceed national standards of Constitutional Policing. Federal oversight for 17 years has not brought OPD into compliance. Three years of former Chief Kirkpatrick did not leave form OPD. She didn't even update their policies. 431 outdated policies, which Interim Chief Manheimer, admitted to during the September 10th meeting. All of OPDs policies need to be evaluated and updated to meet the current best standard practices. But I'm asking you to please prioritize missing persons investigations in a special different unit. Jonathan Bandabaila went missing May 7th and his parents waited over seven hours for an officer to arrive. Jonathan was entered into the missing persons' database, but that report wasn't handed over to the Special Victims Unit or assigned to a detective until two days later. For their current procedure, Jonathan was missing for two days, yet the report just sat there without any initial investigation. This is their current procedure and it does not meet the current best standards. Please update it immediately. Thank you.
- Juanito Rus: Thank you, Miss Lazaneo. The next speaker in the queue is listed as Jenny Zilliac. Hello, Ms. Zilliac, can you hear us? Jenny Zilliac, can you hear us? I see that you've unmuted yourself, but we cannot hear you. Can you hear us?
- Jenny Zilliac: Can you hear me now?
- Juanito Rus: We can hear you now. You have one minute whenever you're ready.
- Jenny Zilliac: Oh, wow. Okay, great. Thank you. I just want to say that I was at the press conference this morning ... this afternoon for a him.org, and I wanted to just give a shout out to their 10 demands and I'm going to read through some of them. I don't know if I'll get through them all, but their first recommendation is, "Expand the definition of use of force and revise the reporting requirements, but beyond firearm use." The second is, "Police should not use any force against people threatening to hurt only themselves; disarm most police and don't send armed police for any unarmed conflicts or nonviolent situations; send alternative responders to mental health crisis, loitering, noise complaints, and other non-criminal issues; support state legislation making all allegations of police misconduct public; cut the police budget and build more quality affordable housing and mental health services." Looks like I'm about out of time, but I just wanted to support those.
- Juanito Rus: Your time is up, thank you very much. The next speaker in the queue is Terri McWilliams. Hello, Ms. McWilliams, can you hear us?
- Terri McWilliams: Yes. Thank you, good evening. Terri McWilliams with Faith in Action East Bay, and the Coalition for Police Accountability. The Police Commission has the authority to make policy that would make Oakland safer, regardless of full agreement by OPD, to do less would be irresponsible. OPDs insulting playing of the training video will give pause at another video is necessary. To ensure



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other potential use of methods of force such as dogs and hazers, military-style equipment, should be included in the use of force policy. I urge and hope that the commission will just take no little extra time to review the policy language and to ensure that there's full information that will also go into training bulletins as well. I thank the ad hoc committee for their work, I thank Commissioner Chair Anderson for her presentation, and thank Chair Jackson. Thank you very much.

Juanito Rus: Thank you, Ms. McWilliams. The next speaker in the queue is a telephone attendee with the last four digits, 5802. Hello, 5802. Can you hear us?

Saleem Bey: Yes, good evening, this is [Celine Bey 00:00:15:46] and on behalf of myself, my family and my community, we want to thank Commissioner Harris for [inaudible 00:15:56] justice for our community, and we're going to hold everybody who is there directly accountable for seeing this justice all the way through since she's not going to be there. That is in your lap from this point on, and justice is exactly why we're here. That's why any obstacle that's in front of us is just a matter of time before it looks like all of the obstacles that were in our rear view mirror. So if anybody is still going to be an obstacle for our justice for myself, my family, my family members that are not here, we're holding you directly responsible for this justice since you ran her off. That does not apply to Mr. Dorado, who is never wavered. Thank you.

Juanito Rus: Thank you, Mr. Bey. The next speaker in the queue is Ms. Assata Olugbala. Good evening, Ms. Olugbala, can you hear us?

Assata Olugbala: Yes, Rashidah Grinage talks about appalling related to the police department. I think it's appalling that the Coalition for Police Accountability has planned and pursued putting Ms. Ginale Harris off of the Police Commission. And I know it because one of your members told me that you wanted to get rid of her. I think it's appalling that this commission doesn't stand up for Ms. Harris. Again on August the 3rd, the selection panel gay cop said that Ms. Harris was abrasive. According to Jose Dorado, Dorado says he didn't say that. The commission plan to make Ms. Harris look like she was not worthy of returning to her position, and she's done all this work. We will not let this go. You're going to hear it over and over again. The police commission has no credibility because you will not speak up for wrongdoing.

Juanito Rus: The next speaker in the queue is a telephone attendee with the last four digits, 7935. Hello 7935, can you hear us?

John Bey: Yes, good evening. This is John Bey. Are you able to hear me?

Juanito Rus: Yeah, we can hear you whenever you're ready.

John Bey: Thank you. I would just like to say that I wish to pass on my sincere thanks and admiration for the work that Ginale Harris has done on the commission, moving it forward to being a leading body that has power and uses its power for its duty, which has oversight of Oakland Police Department. Anything going forward, we need more oversight, not less. The way Ginale was a railroad as we've all seen hit jobs before, and that was the classic one. The comment and disparage the individual,



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and then claim that there was no problems with the language that was used, other than the fact that it wasn't correct. And further, we want to make sure that this commission is fast in oversight. In addition to the use of force and the missing persons like Michelle said, you also need M19, the Racial and Religious Profiling, because it says racial and religious, but there is no component.

- Juanito Rus: Your time is up. The next speaker in the queue is listed as Richard Spiegelman. Hello, Mr. Spiegelman, can you hear us? Richard Spiegelman, you can unmute yourself if you are ready.
- Richard Spiegelman.: Hello, can you hear me?
- Juanito Rus: We can hear you now. Whenever you're ready.
- Richard Spiegelman.: Great, thank you. I'd like to thank the commission for its ongoing work on use of force policy, but the policy remains unfinished. Please don't pass a policy which could be better and needs to integrate the needs expressed by the community. Wait for the new commissioners to be seated before voting, and remember that the commission has the authority and the responsibility to make policy that makes Oakland safer, with or without OPDs consent. The drafting with OPD took a year, but input from Oaklanders has been going on for only two months. There has to be enough time to integrate the many important proposals from the people who will be policed under the new policy. In particular, please attend to handcuffing policy, use of police dogs, use of tasers, and finally there's need for language that states that racial disparities have long existed in policing in Oakland, and [inaudible 00:21:09] needs to be committed to working to ensure that OPD is equitable to all. Thank you.
- Juanito Rus: Thank you, Mr. Spiegelman. The next speaker in the queue is listed as Kevin Cantu. Hello, Mr. Cantu, can you hear us?
- Kevin Cantu: Good evening, everybody. It's shocking to me that OPD lies about the abuse of protestors, plays a shell game evidence of racist traffic enforcement. It keeps calling these policy reforms surprises, and claims there are so many policies that it'll take years to review and expensive consultants in order to actually reform those policies. How, do you teach new officers? Do the consultants have to help with that too? I think given the financial impact and other needs that we have regarding coronavirus, we should perhaps start spending less money on guns, spending less money on helicopters. Let's change things.
- Juanito Rus: Thank you Mr. Cantu. The next speaker in the queue is a telephone attendee with the last four digits, 1574. Good evening, 1574, can you hear us? Good evening telephone attendee with the last four digits, 1574. You may unmute yourself whenever you're ready.
- Cathy Leonard: Good evening. This is Cathy Leonard.
- Juanito Rus: Hi, Cathy. You're coming through very garbled. I'm not sure if your connection is good, or if you can fix that on your end?



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Cathy Leonard: Okay, I'll try again. Can you hear me clearly now?

Juanito Rus: That's somewhat better.

Cathy Leonard: Okay. My name is Cathy Leonard, Oakland born black woman in district one. And I'm on the steering commission of Coalition for Police Accountability. What is the rush? The ad hoc only put forth language that the Oakland Police Department agreed to. Some very reasonable and essential proposals were not included because as usual, Oakland Police department refused to budge. The commission has the authority and the responsibility to make policy that makes the Oaklanders safe, without the consent of the Oakland Police Department. The department's game playing on their sixth year language at city council on Tuesday shows what they will do if you give them veto power. Neither measure LL nor measure S1 requires the agreement of OPD to change policy. Police commission, stand your ground for the benefit of black people who are adversely affected by the police department's use of current use of force policy. Black lives do matter. Do what's right, take the time, do it right. OPD is not running the game anymore in the city of Oakland. Thank you very much.

Juanito Rus: The next speaker in the queue is a, another telephone attendee with the last four digits, 9997. Good evening, 9997. Can you hear us?

Speaker 2: Hello?

Juanito Rus: Hello, we can hear you. You have one minute whenever you're ready.

Speaker 2: Yes, the first thing I would like to request is that item 11, update on banning carotid restraint, be moved way up into the meeting at the beginning. It's a very important item, and I think you should deliberate on it as soon as possible so that people who have other commitments can weigh in on it. Also, I would like to call out this District six Councilperson, Loren Taylor, for just really standing in the way of that restraint ... carotid restraint policy in a really dishonest way. And I think people need to evaluate that about him, that he approaches these things sideways, trying to get it back into committees, trying to stop it, filibustering. It's just not honest. And I think people need to know that about that particular councilperson. Thank you.

Juanito Rus: Thank you, 9997. The next speaker in the queue is listed as Chris. It appears that Chris has an older version of Zoom. So I'm going to need to promote them to the panel. Good evening.

Chris: Yes, I can hear you.

Juanito Rus: You have one minute whenever you're ready.

Chris: I would just like to take the time to address the history with my public comment. Oakland has a longevity of policing of black people and the targeting of violence within your crowd control management, within the peaceful protesting that happens, the hyperactivity of policing in black neighborhoods, and the overall violence Oakland PD has been responsible for. And now it's time





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that Oakland immediately burdens is with the obligation to address these issues within the languages of the use of force policy. And it has been your guys's responsibility. And this is the bare minimum of what black people could be asking of you right now. Thank you.

Juanito Rus: Thank you, Chris. At this time, seeing no other hands raised in the speakers queue, I return the meeting to you, madam Chair.

Regina Jackson: Thank you very much. Next up is an interim ... excuse me, is an update from the Interim Police Chief, Chief Manheimer.

Chief Manheimer: Yes, ma'am. Can you hear me all right? Yes. Thank you. I have some brief updates for you. Number one, I'd like to, as I always do, just go over our crime stats and what we're doing out there about them. We did just this week, come out with our quarter three stats, and that looks at quarter two and quarter three. Those two quarters make up the entirety of the shelter in place, as it starts in April and ends at the end of September. We are disturbed to see that we are continuing a significant increase in our homicides and our gun crimes. We are pleased to see that our robberies have decreased between 30 and 35%. And that's always something that we are pleased with as the violent crimes. And the persons crimes are really the priority for us here in the city of Oakland.

Chief Manheimer: The homicides, as I said, show a 50%, 6% increase compared to the same time period, which is quarters two and three from last year. Our gunfire is still increasing, as you know, we do have Shot Spotter in areas of the city, and now this is how we measure the amount of gunfire within our city. And that is showing now between a 65 and 70% increase. We do see vehicle thefts increasing as well, but really our main focus right now is looking at all of the gun crimes. And there are areas in our city, and I will tell you that this is not just numbers and stats to us here, or as well as to our community. This community is seeing a tremendous trauma with loss of life, with fear of gunfire in some neighborhoods, and we're looking at places like NE, the 76 and 7,900 blocks of NE seeing five shootings in the last several weeks.

Chief Manheimer: And that we have families, they're very fearful. As you know, we have an entire strategy, which over the last five years with ceasefire and aggressive focus on guns taken off our streets really reduced gun crime to the point of almost 50%. I think we've recognized that we have to read fresh and reinvent the way we're doing our ceasefire and other violence interruption during COVID. We recognize that call-ins are challenging with the shelter in place and social distancing, but we are getting back out into the community with modifying those enforcement strategies, particularly working with the De-incarceration of prisoners and the early release due to COVID-19. And the fact that these individuals, the formerly incarcerated persons are coming back without the re-entry plans and other types of resources. So for us, with the OPD chairs, as well as the strategies, we are sort of shifting to providing resources and working with our violence interrupters and our other city resources to ensure that we have resources as well as PPEs for those out in the community.





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- Chief Manheimer: We are talking about in the Washington Post article actually of today, in which Oakland was on the front page really talking about the significant and challenging increase in crime and trauma in the very same neighborhoods that have been devastated by the impacts of COVID-19. We are really struggling to make sure that we are a resource, as well as taking guns off the street. In terms of the amount of guns we've taken off the street this year, we've recovered a total of 946 guns, of which 734 are crime related. That's a 35% increase from last year. I do want to shift a little bit to talk about the street outreach that we are making now, and to reassure the community that while we are seeing continued than crime, we have started the city-wide strategy, which you'll be hearing more about in the coming weeks. And we're seeing some tremendous results in terms of addressing getting guns off the street and working with the shooters to ensure that they have the interventions that hopefully will steer them away from the need. I think there are many young people out there, especially in deep East Oakland, who feel that with all of the guns, there's a need for them to carry guns as well. And we want to make sure to level that playing field for them. The second thing that we have for you tonight is just a preview that, and I know Ms. Steffen has mentioned it at every single one of our council meetings and police commission meetings, and we did today release our 2019 stop data, annual stop data report. We will be discussing the key highlights of that. We're very excited to be able to launch this tonight at the police commission with our first in-depth discussion of it. You'll see that as item number five on your presentation. And we'll discuss that in just a minute.
- Chief Manheimer: But that is out today. We will send a link to you as soon as the link materializes on the website. We've just launched it with a press release and you'll get a more in-depth preview of that during item number five.
- Chief Manheimer: Lastly, I would like to say that I have heard all of the comments tonight around the carotid policy and just two or three, I know you'll have it, Madam Chair as an item later. But just to say that I did, especially through my communication with you earlier, assure you that we have fully adopted the police commission version of this policy with the slight exception, and this has been our exception since we've worked on this with you through the month of June and part of July, to ensure that we have that carved out clarification around the knee and the back.
- Chief Manheimer: And we are working on language around that now with our plaintiff's attorneys. We're looking to collaborate with you on that. That is the simple and only exception to this and while we had other things we might have liked to see in that policy, we clearly have sought to collaborate with and fully adopt the policy that this commission brought forward. We are very excited and we want to thank the ad hoc committee and Commissioner Hearshe and Commissioner Gage and Commissioner Anderson for working and collaborating and really pushing forward the use of force policy K-3 and this policy in which we worked with you really to come to that level where we have accepted your version of it.
- Chief Manheimer: So, I would like to say that we believe and brought forward that video because when we first worked with Commissioner Prather on this, he did come and we were so grateful that he came down to the station and got that same demonstration and fully understood the very minor point of recognizing that it wasn't just the shin or other point or piece on the back. And so we felt that



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bringing that video demonstration to you all, since you all could not come down, would be helpful in understanding that minor point.

Chief Manheimer: So, I don't want to get ahead of you all with your item that comes later in the agenda, but I do want to clarify that we look to work forward with you on that. And the one point of clarification that is simply a clause that I think we can get to some understanding on. So we appreciate that and we appreciate you all and look to move forward on that. That's it for my updates and Madam Chair, I'm available for any further questions. Thank you as always for giving us this opportunity to share with you some of what's going on in the police department.

Regina Jackson: Thank you. Are there any questions from the commissioners? I see a hand raised, excuse me, Commissioner Dorado.

Jose Dorado: Thank you, Chair Jackson. Good evening, Interim Chief Manheimer. There was any number of shootings around Francis and below my neighborhood and B-27X, Francis and, I'm blanking on this ... Just above Congress. I'll think of it in a minute. In any case, there's been so many shootings that now the neighbors are using Nextdoor to tell people not to go outside because there's people just brandishing guns. And a couple of months ago, you had promised that there would be a ShotSpotter report given to the 27X. They had requested. And the ShotSpotter report would be over a months period showing the time of the shots, the incident number, and the number of shots, and they only had one of those delivered. And now it's been two months since they've been able to get this report and the shooting and the brandishing of guns has not abated at all.

Jose Dorado: So, my request to you is that you will do whatever you need to do to make sure that that information gets to 27X in the format that they asked. Because it was already done once. They don't understand why, in fact, it was given to them partially with the incident numbers and the number of shots not reported. So, they'd like that information. They're very frightened at the gunplay that they've seen in their neighborhood, particularly around that, that area, Fairfax and Francis.

Jose Dorado: And it's really gotten to be to the point where they have to actually warn each other not to go outside because there's guys with guns. So, can I have that commitment from you to do that?

Chief Manheimer: Thank you. Madam Chair, if I could respond to that?

Jackson: Please.

Chief Manheimer: Commissioner Dorado, thank you so much. We have been working with the chair, Steffenie Hayden, on that. We've had conversations with her and Captain Mendoza is working directly with her. Sir, there are many neighborhoods that are actually under the same level of stress and strain. We do post our ShotSpotter activations report and map by area every Tuesday online. I know that they want very specific data with addresses. That is not our information and ShotSpotter legally does not allow us to publish that specificity.



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Chief Manheimer: We have been working with Steffenie and I'm happy to take this offline because we absolutely, the more information we can get out the better, there are constraints of what we can get out. But as you well know, community policing is about our neighbors being informed and getting as much as we can.

Chief Manheimer: So, we have been working through Captain Mendoza to try and get that to them. And I will say that it just aches and really is so problematic that there are so many communities that are burdened with this gunfire and the level of safety. Chief Lindsay of our homicide unit was actually out there and I have gone out there, as you know, two or three times to talk with the families, to talk and walk with the communities that are under trauma right now.

Chief Manheimer: And we do have a 60 day operation going that I think is going to assist in suppressing some of that gunfire. I'm not at Liberty to be able to share some of that now, but this police commission will be the first to hear that report when we're able to get that out to you. So, sir, I'm happy to talk with you offline. And we are speaking directly with Steffenie about that. There are unfortunately some constraints from ShotSpotter legally on the information that she wants.

Regina Jackson: Sorry. I'm talking while muted. Are there any other questions? I see Commissioner Harris followed by Commissioner Jordan.

Ginale Harris: Thank you, Chair. Thank you, Chief Manheimer for your report. However, for three years we've been getting reports and I'm only going to speak for myself. As a police commissioner, the data that we receive is very disappointing. It has been from the beginning of my time as a police commissioner. It is not accurate ever. And a lot of times I see through the fluff and I'm not pointing fingers. I'm not saying it's anyone's fault.

Ginale Harris: However, I live in one of those communities that's affected by gun violence. And I will continue to say that I'm a district seven resident. We have murder after murder, after murder, after murder, right? But I don't hear anybody complaining or saying Black Lives Matter about that. And our shots fired, we can get all the reports we want from that. It doesn't stop people from being killed.

Ginale Harris: So, we have a whole department that I haven't heard one person bring up, which is our department and violence prevention. We brought in a subject matter expert, hired him all the way from another city. And I haven't heard one thing from that department in regard to violence prevention.

Ginale Harris: Do we need to do better with Ceasefire? Yes. I am not impressed with Ceasefire at all. I don't appreciate Ceasefire putting religious partners and leaders as their face to come to our meetings and tell us how great they're doing when I haven't seen Ceasefire do anything. So, I want to address the violence. I'm tired of listening to reports. I'm tired of listening to what we could do or should do, but nobody cares. And I've been coming to this police commission meetings for three years and nobody wants to address that. We are at 75 murders. We're continuously talking about the police, the police, the police. Yes, I get it, the police. But we need to address what is happening in our communities. Period.



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- Ginale Harris: It's easy to point fingers and criticize this police commission. But not a lot of people apply. especially those who believe that they know what's best for our community. So with that said, Chief, I just really would like some solution-based information. You getting together with some of the community leaders in these affected areas so you can hear from them firsthand what it feels like to live in bondage, captive because they can't come out of their homes. So, for me, I'm not interested in reports because reports don't do anything. However, I appreciate the attempt. But I would rather see some collaboration going on to see what we can do so people are not afraid. Thank you.
- Chief Manheimer: Madam Chair, I would like to just let Commissioner Harris know: Fully, fully support, understand, hear you, and agree with what you're saying. I do want to let you know how personally we take each and every one of these murders, how delighted we are with every gun we take off the street and how hard we are working out in the community.
- Chief Manheimer: But to your point, Commissioner Harris, we are, the mayor has convened a task force and a report. This is an annual report on gun crime and homicide. She does this every time we have five homicides within a certain period of time. She has asked for a full on report and convening of Ceasefire, DVP, police department, and then after this convening next week, the plan is to go out and do an entire community-wide summit and a call to action.
- Chief Manheimer: So, that will be happening. And I know that we'll be calling on our police commission and others too so that we can do both listening and hearing. I will tell you that there is a resource issue that if we could get more command posts with areas that we can get out there, it would help. But we are going to get out there to the community and make those calls to action. So, thank you.
- Regina Jackson: And following Commissioner Harris is Commissioner Jordan. You are un-muted.
- David Jordan: Thank you. Thank you, Chair and hello Interim Chief Manheimer. I just have a quick question. Since the beginning of quarantine, one of the things we've heard from you all on the departments, you specifically, and police in general around the state, is talking about how the de-incarceration is adding to our crime rates.
- David Jordan: I was just curious. That happened almost immediately as soon as the policies from CDCR and the governor were announced around releasing incarcerated people, and on a local level. And it felt like, "Well, that seems like there's maybe a lack of evidence and maybe scaremongering." I was wondering all these months later, do we have any hard numbers around that? Because it does start to feel like it's just a general boogeyman scaremongering effort to sort of say, "It's probably around this policy that is out of our control." As opposed to it being what is more likely a much more complex issue. But if you do actually have numbers, I'd love to hear them.
- Chief Manheimer: Thank you. Madam Chair, if I could?
- Regina Jackson: Please.



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- Chief Manheimer: So, we don't have the current CDCR re-entry numbers. What we do know, and I have been on the reentry commission for the governor about the last three years, and on the community corrections panel. What we can tell you is that these last three releases that were done through the governor because of COVID restrictions, there were no re-entry plans and no re-entry resources.
- Chief Manheimer: So, all of the re-entry prior to that, that has been since realignment, probably the last six years, have been done with the levels of re-entry planning and resources that began within prison prior to release and then upon release. I do not have that data for you. I can tell you that the significant return of prisoners has been without any type of a reentry plan or release.
- Chief Manheimer: We are really seeing two of those. So, I will look for those stats because it seems to me that we may have some of those now because we've had two full quarters and we are really just, with COVID-19 impacts, really comparing notes across the country. And so the re-entry of prisoners without the re-entry plans into a period of which both jobs and fiscal restraints are significant, as there are not the resources within the community to come back to ... Another significant thing, and you're right, I don't want to do fear-mongering amongst this because it is the fact that all formerly incarcerated do return and they returned generally with a plan of resources.
- Chief Manheimer: This is different. They're early releases. Another significant issue is what I'd call the no bail, no jail. And what that means and I'm, again, not fear-mongering amongst this. But the fact of the matter is that what used to work fairly successfully and why we were able to bring gun crime down so significantly over these last five years, is that when we arrested someone with a gun or knew that some individuals when gang group conflicts were involved in gunplay, we could seize that gun and they would have a cooling off period of a certain amount of time in jail.
- Chief Manheimer: We arrest someone with a gun right now, that is a no jail, zero bail response. So, we have lost that opportunity to be able to provide some cooling off period. That is only to have maybe seven or eight significant impacts. And those are health impact, school impacts, the shelter in place, which has caused significant domestic and other family conflicts, in addition to the casinos and the after parties, because there are no regular gathering places.
- Chief Manheimer: So, I am not meaning to say any one thing, Commissioner Jordan, and I'll be the first to tell you that I'm not saying that one issue is responsible for a lot of this. because I think it's just a whole panoply, not one. If I can find those statistics though, sir, I will look for them. I have a lot of connections at the state level, as well as in the County, and I will get them for you. But please, please keep in mind that I'm not saying that all of those folks we're reentering are responsible for all that crime. I'm simply saying that there's a whole level of re ... And most of it is around this double hit of COVID-19 and shelter in place and just the angst and the anxiety and the pandemic and the disease.
- David Jordan: Okay. Thank you, Chair. If I may, just one last thing.
- Chief Manheimer: Sure, please.



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- David Jordan: I'm not denying the generalized logic of a lot of what you just said, but my problem is that you're applying a causative relationship to a problem that you don't actually have any clear evidence that there's ... We can assume that there's a correlation because it makes a certain amount of logical sense. And yeah, it is very problematic that these people are being released without any plan. That's problematic for them as individuals as well.
- David Jordan: And they need it, those plans are there for them as much as anything else. But I would just encourage you when you make these reports to us not to speak in such generalized terms, that suggest that what you're saying has some sort of a basis in fact, as opposed to gut feeling or general sense of logic around it. At least qualify it when you make these statements so that it doesn't feel like you're saying this is a given fact for sure that we know is a causative element of our increased crime.
- David Jordan: Because it slows the whole process down. It makes people suspicious and we need to be straightforward, forthright, and honest with each other if we're going to address what continues to be a huge and complex issue. Thank you.
- Chief Manheimer: I greatly appreciate that feedback. Thank you. And I think, if I did not say at this time, and I think that is in the Washington Post article, that these are the things that we're positing that are likely causing that, but I will do my due diligence to make sure that I qualify that and I'm with you 100%. I'm going to look and see what data I can find and I will qualify that more because we're really all searching for what is this tremendous spike, and troubling spike nationwide in our major cities, in gun crime. And we're all trying to figure out what it is so that we can apply the right resources and fixes. But I will do my due diligence and I greatly appreciate that feedback.
- Regina Jackson: Thank you. Commissioner Anderson, you're un-muted.
- Tara Anderson: Thank you, Chair Jackson. And through the chair, I want to appreciate all of the comments of Alternate Commissioner Jordan. I so appreciate you calling out the fact from fiction and through the Chair to interim Chief Manheimer, I do wish that you would find the opportunity to transition out of spin doctor to leader.
- Tara Anderson: I'm very frustrated at hearing you refer to the zero bail policy as issued by the judicial council as the no bail, no jail. And simultaneously hear that you don't intend to fearmonger. That in and of itself is fear-mongering. I do believe there is quite a bit of research that's already being done. I know I'm a part of it in my day job. Looking at these crime trends across the country, not just looking at gun crime exclusively, but all types of crimes and how they're interconnected and how we're seeing under the umbrella of the pandemic property valued over people and how that's guiding certain criminal conduct.
- Tara Anderson: So, I do hope that in a future meeting, where I can attend as a member of the public, we will get to hear that story as told by an expert rather than conjecture. And I do hope to the Chair and those members of the commission that will remain in this space and have this mic that you will limit how much this time, this agenda item, is used as propaganda perpetuating the lies that I am





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so tired of and negotiated on Tuesday be reinforced again here in earnest, under guise of collaboration. I am tired and I won't be silent. I will continue to speak out to this.

Tara Anderson: And again, thank you so much Alternate Commissioner Jordan. I am grateful that your voice will continue to be on this dais.

Regina Jackson: Thank you, Commissioner Anderson. And with respect to your commentary, particularly around this past Tuesday, I will say to Interim Chief Manheimer, I was exceedingly disappointed. Commissioner Dorado. You've been un-muted.

Jose Dorado: Okay. Thank you, Chair Jackson. I had another item that I wanted to make sure got in, and that is the issue of white supremacy is becoming increasingly concerning to me. And so I want the Interim Chief Manheimer to commit to forming an internal group to investigate and report on two significant items.

Jose Dorado: One, I want this group to investigate and report on any OPD officer with connections to white supremacists, right-wing, or racist individuals or groups anywhere. And two, I want this group to investigate and report on any such groups in Oakland or around Oakland. As you probably have learned, the FBI just broke up a plot by half a dozen militia members who were planning to kidnap the Michigan governor and bomb the state Capitol.

Jose Dorado: So, this is something that I unfortunately expect to see accelerate and come to a head on November 3rd. I do not expect it to be pretty at all. It's going to be very, very ugly and I think we need to get ahead of this situation in a proactive way. And this is what I'd like to see you commit to, Interim Chief Manheimer. Thank you.

Regina Jackson: Go ahead, Chief Manheimer.

Chief Manheimer: Okay. Through the Chair. Commissioner Dorado, absolutely we commit to both of those. You will hear in a little while about our internal race and equity impact team. We also have an integrity unit here in the department. Should we get any information through any source, that is immediately investigated. You will hear it a little while about all of what our race and equity internal team is doing in terms of being ombudsmen, where anyone within the department can come anytime they have any information or feel any discomfort with anything that is inappropriate action. And we follow up on that immediately.

Chief Manheimer: To the second point, sir, we are now part of a planning group within our city anticipating any future demonstrations, particularly around the election. As you may or may not know, there is a projected demonstration in San Francisco this weekend involving a white supremacist group. That will be the first one that we're really seeing in the Bay Area that is of a ... Really since the Trump election when we had some of that activity over at UC Berkeley, but this is the first that we've seen of that.





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- Chief Manheimer: And we are tracking on that. We have been in planning meetings for that and we are getting briefings weekly with our JTTF, which is the FBI Joint Terrorism Task Force, who is intimately and significantly tracking these groups across the country. We have seen this activity pickup on the West Coast and we are absolutely in touch with our federal partners on a weekly basis as especially we are expecting more of that around the election time. So, I want to reassure you on both those fronts.
- Jose Dorado: Thank you. We'll be looking forward to those reports. Thank you.
- Regina Jackson: Thank you, Commissioner Dorado. Are there any other questions from any other commissioners? Okay. My seeing none, we will go to public comment. Mr. Rus?
- Juanito Rus: Thank you, Madam Chair. Any member of the public who wishes to comment on item four of tonight's agenda, please raise your hand in the Zoom queue and you will be called in the order in which your hands are raised.
- Juanito Rus: At this time, the first hand they see in the queue, excuse me while I share my clock, is Bruce Schmiechen. Hello? Mr. Schmiechen, can you hear us?
- Bruce Schmiechen: Yes. Can you hear me?
- Juanito Rus: We can hear you. Whenever you're ready.
- Bruce Schmiechen: Yeah. Bruce Schmiechen, Faith in Action East Bay. And I think as most people who've been around Oakland any length of time know Faith in Action, at that time Oakland Community Organizations, brought Ceasefire to Oakland, and it was driven by people who had lost children to gun violence. So, this isn't something theoretical. It's not somebody's idea. It's real.
- Bruce Schmiechen: And anyone who's been around Oakland and I know some people haven't lived in Oakland that long, know that Ceasefire has been effective in reducing gun violence. Not nearly enough and we need more resources.
- Bruce Schmiechen: So, I support and I would suggest Chief Manheimer [inaudible 00:29:55], don't talk about things that are not data driven. You might check in with groups like All of Us Or None and Asian Prisoner Support that have tried to bring resources to formerly incarcerated people who are being let out and work with them and let's reallocate some of those public safety funds to these programs that work.
- Juanito Rus: The next speaker in the queue is listed as Anne. Good evening, Anne. Can you hear us?
- Anne Janks: Yes.
- Juanito Rus: Whenever you're ready.



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- Anne Janks: So, I just wanted to give a little bit of background on asphyxiation. Asphyxiation appears to be the major way that people are killed when they interact with police. Why do I say appears? Why don't we know? Because the initial cause of death reported for George Floyd were that he died from his underlying medical conditions and excited delirium.
- Anne Janks: It turns out excited delirium is a pseudo medical fantasy to explain how a person died unrelated to the police officer preventing them from breathing. Descriptors of excited delirium are, "like a caged animal, impervious to pain, and having superhuman strength." These are phrases that have been used for centuries by white people to describe black people.
- Anne Janks: Unsurprisingly, black men are overwhelmingly the people in our communities described as exhibiting excited delirium and asphyxiation by police. Chief, you say officers putting a knee on a resident's back, there's one minor point. If it's minor, give it up. People die from it and it's not minor to us. Thank you.
- Juanito Rus: Thank you. The next speaker in the queue is Kevin Cantu. Good evening, Mr. Cantu. Can you hear us?
- Kevin Cantu: Good evening, again. Regarding the police chief's continued echoing of this narrative from national ... it's a nationwide narrative from police chiefs about this epidemic of shootings. I think it's another thing that shocks me. The statistics don't hold up on this yet. The long-term trend is that this year has had a few blips, but isn't that catastrophic. And the fact that cops come super fast to Maxwell Park, even when we don't call, and super slow to other parts of Oakland, when people are desperate for help, only feeds this narrative. And this is a long-term problem where over policing and under service go together.
- Juanito Rus: The next speaker in the queue belongs to Marianna Contreras. Good evening Mr. Contreras, can you hear us?
- Mariano Contreras: Yes. Regarding Chief Manheimer's comment on a minor detail regarding the Special Order 9305. It's not a small, minor detail. The argument is, from the police, that they need to be able to do this to properly police. You don't need to put a knee on my back or on any Oakland resident to perform your job properly. This is only an excuse to implement discretionary use of force, specifically a knee on my back, on Black and Brown residents. You agreed to ban the carotid choke hold, but remember a knee on someone's back also prevents their ability to breathe. Remove this small detail, that you consider, agree with the police commission, and remove all forms of asphyxia. Thank you.
- Juanito Rus: Thank you, Mr. Contreras. The next speaker in the queue is Assata Olugbala. Good evening Ms. Olugbala, can you hear us?
- Assata Olugbala: Yes. To the chief, I understand that ceasefire is more difficult because of gentrification. A number of African-Americans who come under ceasefire have moved to cities like Antioch, Stockton, Vallejo, and your life coaches are going into those cities to service them. And these young people



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are coming back into Oakland during the day, but they live in outlying communities. So, that's making ceasefire more challenging for the life coaches.

Assata Olugbala: Also, because of gang members expanding into the immigrant community, like MS 13. And at one point I heard a report where the Moon people from Guatemala, who speak Aztec, all had the number one murder rate. So, the challenges of growing because of the increasing immigration, because of the fact that many of our community members come [crosstalk 01:08:28] that don't live here.

Juanito Rus: Your time has expired. Thank you. The next speaker in the queue is Reisa J. Good evening Reisa, can you hear us?

Reisa Jaffe: Yes. I just want to bring up something I seem to bring up every time. I'm wondering if crime statistics went down by 50%, if that would be an indication that the problems within OPD been solved? I think we all know the answer to that question is no. And given that, I don't understand why we continue to spend our time at these meetings, getting a report on crime statistics. Thank you.

Juanito Rus: Thank you. Thank you. The next speaker in the queue is Tasha Mente. Good evening. Tasha Mente. Can you hear us?

Tasha Mente: Yes. Can you hear me?

Juanito Rus: We can hear you, whenever you're ready.

Tasha Mente: Okay, great. So, Chief Manheimer, I'd like to point out that the issue you have with resources that you mentioned with respect to D7. I live in D1 and I have personally seen five cop cars pull up in Temescal and arrested a teenager for being in a shouting match. To me, this is not a resource issue. This is a mismanagement and budgetary issue. So I think, as a D1 resident, that some of those cops should be sent to East Oakland to stop the murders there.

Tasha Mente: I also noticed that you disregarded Commissioner Anderson's comment entirely. Commissioners Anderson and Harris have performed extremely well in difficult circumstances, trying to reach a use of force policy with a department that is using underhanded tactics to try to convince an uninformed city council that without using deadly force, all their officers will be shot. So, I look forward to hearing both of their calls in and joining us as members of the public in the future, because I greatly value their expertise in this area. And that's all. Thank you.

Juanito Rus: Thank you Ms. Mente. The next speaker in the queue is a telephone attendee with the last four digits, 1574. I believe that's Ms. Cathy Leonard. Good evening, Ms. Leonard, can you hear us?

Cathy Leonard: Hi, this is Cathy Leonard. I'm speaking on behalf of Oakland Neighborhoods for Equity. I wholeheartedly support the comments made by Commissioners Ginale Harris and Jose Dorado, and also those made by Mariano Contreras and Ann Janks. To you Commissioner Anderson, you



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have no credibility. You make these comments about the chief on your way out. Where was your backbone for the two years that you sat on the police commission?

- Cathy Leonard: My message to the new commissioners and the remaining ones. Don't wait until your term expires before you criticize the Oakland Police Department and Interim Chief Manheimer. Get your outrage out front so that we can solve these problems that are going on. Last minute grandstanding means absolutely nothing to Black people who have been under the thumb of the police department for decades. So, save us your comments. Thank you.
- Juanito Rus: The next speaker in the queue is listed as LB. Good evening. LB can you hear us? LB, I can see you unmuted yourself. Can you hear us?
- Lorelei Bosserman: I can hear you. Can you hear me?
- Juanito Rus: I can hear you, you have one minute whenever you're ready.
- Lorelei Bosserman: Thank you. I would like to thank David Jordan for calling the Interim Chief on her repeated use of the early releases as if it explains the increase in crime. Unfortunately, the Chief doesn't seem to have understood what I believe was David Jordan's question, which was not, "Ooh, is this really happening? Are people being released early without enough re-entry training?"
- Lorelei Bosserman: That's not the question. The question is why do you keep giving that as the reason for an increase in crime? Do you have any data to support that connection? And I'd also like to say... I want to say thank you to the chief for taking white supremacy seriously. I do have some concerns about the joint terrorism task force, because it is often used to harass our Muslim neighbors. So, please be aware of that. Thank you.
- Juanito Rus: Thank you. And the final speaker in the queue on this item is Megan Steffen. Good evening, Ms. Steffen, can you hear us?
- Megan Steffen: Yeah, I can. Thank you so much. I just wanted to say that there's a specific page on OPD's website where the Oakland Police Department stop data is supposed to go. No need to send me a link. You can post it right there, right where it's supposed to go every year. Thanks so much.
- Juanito Rus: Thank you. At this time, seeing no further hands in the queue, Madam Chair, I return the meeting to you.
- Regina Jackson: Thank you very much. So, we will move on to the next agenda item, which is the presentation on race and equity. I am not sure who the lead speaker is, so if Chief Manheimer, if you can make the introductions, please.
- Chief Manheimer: Yeah. Thank you so much, Chair Jackson. Commissioners, tonight we are going to be presenting you with a report on both internal and external racial disparity mitigation. It's long overdue to come to you. I thank you for the opportunity to do so tonight. To Ms. Stephen, we did, actually



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earlier today, post the Stop Data 2019, annual stop data report. It is on our website and it is under OPD Racial Impact Reports, 2016 to 2018. The most recent one is right there under Oakland Police Department Stop Data, was posted today.

Chief Manheimer: I will, without much further ado, let you know that we will have three pieces to this presentation. The first, we'll be discussing that 2019 Annual Stop Data report. And we did specifically want to bring it here to the Commission, as it was released today, to give you the first highlights of the discussion that will be presented by Deputy Chief LeRonne Armstrong. He has worked for the last four or five years as our subject matter expert in the department with several others on the stop data and is considered a nationwide subject matter expert on stop data.

Chief Manheimer: Secondly, he will start to talk a little bit about, "How will we be transforming that through procedural justice and transparency?" He will then kick it over to Deputy Chief Lindsey Drennon who will be discussing our internal organizational disparities, you are well familiar with the Hill or Hines report. Phase two of the presentation is something we will continue to bring back to you as we have more updates on it. And she will then, with Lieutenant Aaron Smith, discuss a little bit about the hiring and the means to be inclusive and reflective of our community.

Chief Manheimer: And that is our presentation. And I will turn it over at this point to Deputy Chief LeRonne Armstrong, to give you the beginning of the first of our presentations publicly on the 2019 Annual Stop Data report. Thank you so much for this time.

D.C. Armstrong: Good evening chair. Can you hear me?

Regina Jackson: Yes, I can.

D.C. Armstrong: All right, good evening to all of our commissioners. Again, I first want to apologize to our community that there was some delays in the releasing of our 2019 Stop Data report. Due to the COVID pandemic, we had a significant amount of data requests in transition into this online environment, has caused us significant back-up on several reports. And so, Interim Chief Manheimer committed to the release of this report at the end of September, we have been preparing to release it since last Friday, and doing some last minute preparations and getting it uploaded to our website.

D.C. Armstrong: And so, it is uploaded now, we just verified it with our staff to make sure that it's there. So, it is there and available to the public. I'm just going to give you a quick high-level overview of some of the highlights from the 2019 Annual Stop Data report. The Oakland Police Department is committed to addressing racial disparities in discretionary stops made by our officers.

D.C. Armstrong: For 2019, the Oakland Police Department seen a 45% reduction in stops of African-Americans and an 18% reduction in stops of Hispanics. This demonstrates that the focus on intelligence-led stops continues to reduce the negative impact police contacts can have on our community. These types of outcomes reinforce the positive impact of the department's current strategies of being precision based, and intelligence-led, and procedurally just in our community.



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- D.C. Armstrong: The department believes the use of these strategies will lead to sustained, and/or increased trust with our community through legitimate police practices. The general observations that accompany the data have allowed the department to re-examine its deployment strategies and expectations. So, our strategies may be tailored to minimize actions which may be harmful to our community.
- D.C. Armstrong: At the same time, there are opportunities to increase community partnership, and successful practices of procedural justice during contacts are expected to positively influence police community relations. With the aid of Stanford University, OPD began collecting intelligence lists, Stop Data, and to actively assess the impacts of law enforcement's decisions, our activities, and the results that they relate when it comes to racial disparities.
- D.C. Armstrong: The Stanford 50 recommendations caused the department to re-examine the police department's policies and practices, and the influences which shaped Stop Data outcomes. With our continued partnership with Stanford and the implementation of new forward-thinking approaches to reduce racial disparities and build trust, the department will remain at the forefront of law enforcement around data collection and data analysis. We believe we are creating a model for law enforcement agencies across the country on how to reduce racial disparities in footprint while simultaneously building trust.
- D.C. Armstrong: And as a result of the continued hard work of our department and our staff, we have implemented all of the 50 Stanford recommendations, and that is also included in our 2019 Stop Data report. So, just from a highlight perspective, the Oakland Police Department in 2019, made 19,971 stops. In 2018 and in 2019, we made 14,644. That's a 36% overall decrease in stops.
- D.C. Armstrong: I'll transition into what we will be doing now, moving forward, around moving towards our procedural justice program. The Oakland Police Department has been at the forefront of procedural justice training across the state of California and across the nation. Our Procedural Justice 1 training was recognized at the state level as one of the top procedural justice trainings, and was used as a model for the state's creation of the principal policing training that is now a mandated training for the entire state of California.
- D.C. Armstrong: We will now begin our launching of Procedural Justice 3, which is a training that will have multiple things connected to it. In this training, we're expanding this training. There is no other Procedural Justice 3 training in the country. So, we will be working with our ceasefire community groups who have made a significant interest in being a part of the creation of this training. And also working with our race and equity teams.
- D.C. Armstrong: The department continues to practice the tenants of procedural justice, which are respect, neutrality, fairness, and trustworthiness. It has become the foundation of our department, and it's something that we actually appraise our officers in during their yearly ratings, we look to see if they've been practicing procedural justice over that year. We also are creating a procedural justice pin, where officers that have participated in very positive relationships throughout the



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year in the city of Oakland will receive a special pin that they will wear on their uniforms to distinguish themselves as procedurally just officers.

- D.C. Armstrong: We expect that we will give out hundreds of pins to our officers, with the expectation that all officers treat our community procedurally just. We'll also be using our department new Slalom dashboards as a way in which we continue to thoroughly analyze our stop data. We're working with our department of information and technology. The director, Pete Peterson, is working with the department to develop Slalom slides that can be shared with community and can be displayed on our website. That is what the future looks like for the department. I'll now pass it over to Deputy Chief Lindsey for the next portion of this presentation.
- D.C. Lindsey: Okay. Thank you, Deputy Chief Armstrong. Is everyone able to hear me?
- Regina Jackson: Yes.
- D.C. Lindsey: Okay. Thank you. So, good evening Commissioners, Chair Jackson, I'm going to go ahead and give a quick high-level overview of the Oakland Police Department racial disparity study. As you are all aware, this study was conducted based on some of the concerns that was recognized by the Oakland Police Department in relation to disparities in discipline, based on race. And in an effort to address these serious concerns, the department hired Hillert Heinz group to conduct a review of the internal investigative and discipline processes with a primary goal of determining if racial and or gender disparities existed in these processes.
- D.C. Lindsey: Hillert Heinz was selected by a small group of stakeholders, such as the director of the Department of Race and Equity, the plaintiff's attorneys, the city attorney's office, and select OPD staff, who was tasked with conducting a review of the discipline process and administrative investigation of complaints of misconduct for sworn personnel of all ranks, police officer trainees during the police academy, and probationary officers in the field training program for over a five-year period, beginning January 1st of 2014, through December 30, first of 2018. Hillert Heinz issued a report of their findings, which revealed disparities in discipline towards black officers, and provided recommendations to the department that focused on three areas, the internal affairs division for discipline, the training division, police academy, and field training program, and the background in recruitment, which focused on the hiring and background process, which was self discovered by the organization.
- D.C. Lindsey: A larger group of stakeholders, which contain representatives of the Oakland Police Officers Association, the Oakland Black Officers Association, the Latino Police Officers Association, and the Asian Peace Officers Association, the plaintiff's attorneys, the Department of Race and Equity, city attorney's office, CPRA director, and OPD staff evaluated the report and identified several limitations in the Hillert Heinz findings. These limitations range from a lack of detail analysis, difficulty in understanding the presented data information, and lack of depth in the scope of analysis.





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- D.C. Lindsey: These limitations are now being addressed in what we consider to be the phase two of the department's efforts to continue with this study. So, currently, the racial disparity steering committee has met several times, the last time being September 25th, and they were provided with an update on the 15 intervention strategies that has best been implemented by the Oakland Police Department. So far, four of the intervention strategies are still partial, or are in progress due to things such as policy formation and the completion of the Procedural Justice 3 curriculum slash training, as Deputy Chief Armstrong had just mentioned earlier. That training will be centered around disparate treatment, and implicit bias training, and education.
- D.C. Lindsey: Secondly, there is a racial disparity working group that was born out of the racial disparity steering committee. This group is made up of Stanford researchers, which is Dr. Everhart and Dr. Monin. And then the subject matter experts who were identified from the three areas of focus, which is the internal affairs division, the training division, and recruitment. So far, the Stanford researchers have assisted the racial disparity working group with evaluating the data, the existing data that came from the study. And additionally, identifying new datasets.
- D.C. Lindsey: They've been very helpful with evaluating where we have been, where we are currently at, and where we are going. They've also encouraged the department to use structural solutions for our decision points in assessing desired outcomes. A lot of these structural solutions have already been adopted by our department.
- D.C. Lindsey: For example, some of the policies that we now use today was created through this process that was recommended by the Stanford researchers. Additional work has been done by Dr. Everhart, who has conducted qualitative interviews in conjunction with the OPOA members. And Dr. Monin has focused on analyzing the quantitative data that was already available from the study, and then he's also looked at some additional data sets that's been made available to him through our department.
- D.C. Lindsey: The other portion that we're focusing on is the Procedural Justice Training 3. Which the curriculum, as I indicated earlier, will be focused on disparate treatment and implicit bias. And this is also in conjunction with Deputy Chief Armstrong, as he mentioned earlier. The 14 recommendations, as I previously mentioned, were all readily implemented by our department. And again, I just want to reiterate that one was self-discovered, which was the hiring and recruitment intervention.
- D.C. Lindsey: This portion here will be covered by acting Lieutenant Aaron Smith, but I do want to mention that one of the things that we've done additionally in our police department is convene a special hiring and recruitment committee so that we can continue to address some of the concerns and challenges that was born out of some of the previous commission meetings and just some of the interests around hiring African-American women. So, acting Lieutenant Smith will now speak on this and I will turn it over to him.
- Regina Jackson: Thank you.



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- Lieutenant Smith: Good evening, Chair Jackson and Commissioners. Can you hear me?
- Regina Jackson: Yes. Thank you. Good evening.
- Lieutenant Smith: Good evening. So, I really wanted to take an opportunity to just talk about really where we've refocused in recruiting, as a result of some of our findings. And one of those was really focusing on building trust in our community through diverse, inclusive, local hiring, to better reflect our community. We really did that in two ways, and continue to do it in two ways.
- Lieutenant Smith: First, through fostering strong relationships with the community. And that goes beyond just, that would include groups like our faith community, as well as our strong relationship with Peralta Colleges, and more specifically Merritt. The Merritt Pre-Academy and Administration of Justice Program is chaired by a former OPD Sergeant Millie Oliver. So, we have a strong relationship with her, and we have a built in opportunity to hire Oaklanders and also people of color who make up the majority of that program.
- Lieutenant Smith: And so, that actually serves to do two things, not just police officer trainee hiring, but also cadet hiring, which leads to police officer trainee. In addition to that, they have a robust police communications dispatcher program that we're also very, very interested in. As far as the faith community goes, we have relationships with some of our larger churches and faith based organizations in the city where we do have an opportunity to, prior to COVID, to speak to parishioners when we have a captive audience on a Sunday morning, as an example.
- Lieutenant Smith: And so, some of those faith partners include Acts Full Gospel, Friendship Baptist, Allen Temple, and Parks Chapel A.M.E., just as examples. We also looked at just re-engineering our hiring process, just so that it was more equitable and inclusive. And that was really with the input of internal and external stakeholders.
- Lieutenant Smith: Dr. Jennifer Everhart and Dr. Monin, as Chief Lindsey mentioned, have assisted us with this. And just one of the examples of the changes that we have made in our hiring process is one of the last steps prior to a final job offer is the Chief's panel or Chief's character review, and that where this candidate is presented to the chief and the senior leadership team. So, by recommendation of Dr. Everhart to really try and identify pain points in our hiring process, that could lead to some form of racial bias. We've now eliminated race and gender when we're presenting.
- Lieutenant Smith: This is a very new process for us. But it started as recently as last Friday when we presented to the chief and I believe it went well. And so, that's just an example of what we're doing to make sure that we are not only focused on the target audience, which is Oaklanders first, and also men and women of color here in the city, but also reducing or eliminating racial bias altogether.
- Lieutenant Smith: Last but not least that came out of this reflection was mentoring and coaching our applicants. And this was first introduced in recruiting back in June of 2019, where we realized a lot of our applicants sort of felt like they were flying blind after they were recruited. They went into the Academy and then onto to field training, but we realized there was some value in establishing a



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mentor program. So, I expect every one of my recruiters to mentor their candidates through the process, and it doesn't end with them entering the Academy, it also extends into field training and beyond.

Lieutenant Smith: But in addition to that, we did reach out to the department to identify people who were interested in being mentors, and we've done that. And so those relationships are built with our brand new officers and carried out all the way through, throughout their careers, hopefully. And we've been able to just reflect on that process and find that a lot of our police officer trainees who become police officers were very glad to have someone, a sounding board, throughout the process for them. So, that's just an example of some of the things that we're doing, Chair Jackson.

Regina Jackson: Thank you very much.

D.C. Lindsey: Thank you, Acting Lieutenant Smith. Just to reiterate, they've been doing some really good work over in the background and recruiting unit. And with the addition of the special hiring and recruitment committee, a lot of the relationships with OUSD, Peralta Colleges, and community members just coming together and identifying different strategies, and getting more people interested in applying and looking at the different job opportunities within the city of Oakland has been really helpful. And so, as we continue to do this work and look at different measurements to ensure that the interventions are effective, we'll continue to report back out to the commission and community about our efforts and our results. So, thank you. And I'm going to turn it over to Chief Manheimer.

Chief Manheimer: So, thank you, Chair Jackson, Commissioners, this concludes our report. I wanted to just reinforce to you that we have a long way to go. We're not there yet, but we have a robust mechanism internally for addressing through our race and equity team and all of the efforts and initiatives that we have procedural justice begin at home, that that respect that relentless focus on bias and disparity and that safe place and safe space for members to come, should they feel that there is any type of bias is something that will guide and reflect and help us to be that guidepost for our culture, as well as for that manifestation of what we want to see as our officers act without, and within the community.

Chief Manheimer: Secondarily, on the racial Stop Data, we absolutely have a ways to go, and we are committed to that as well. I want to recognize this department, and particularly the two deputy chiefs who presented to you. And Acting Lieutenant Smith, who both the OPOA president, as well as in his role in hiring and recruiting have been leaders in ensuring that race matters, and that race is something that we are accountable to in terms of disparities.

Chief Manheimer: This department initiated and self discovered the racial disparities, brought in their own consultant and continues forward in that matter. And we were a leader also in Stop Race Data long before the state started collecting it. In fact, we started helping them. Are we saying we're there? No. But we're saying we're on the way. And we will continue to commit to that. So, I want to thank these individuals, as well as the rest of the department for actively supporting this. And that concludes my presentation. Thank you.



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- Regina Jackson: Thank you very much. I was pleased to have you all make the presentation. I'm glad to hear that there are so many voices involved. I am particularly pleased with the anonymity component. But my question to you is, given that we've had such challenges, is there also going to be some movement around of people? When you talk about this work starting at home, it would seem to me that you'd have to make shifts in assignments in order to position the most effective improvements. Because you can't just say, "We're now wanting to focus on this, and everybody can be in the same place and things are going to get better."
- Regina Jackson: It would seem to me that it's not just about mentoring. It's about shifting and making sure that people who have expertise, people who have been those scenarios around the desperate treatment are probably subject matter experts of their own experience. And it would probably be an excellent statement to the entire department, and a commitment, that once you move people around, things change. Alignments and perhaps cliques get broken up. And then the other thing that I'd also like to hear about is some milestones of what you're expecting to see changing and by when. It's not just academies, I would imagine that there are other departments, but there's going to be shifts and impacts throughout the department in order to really assuage the negative impact. So I think I've asked two or three questions there.
- Chief Manheimer: Yes. Thank you. I was tracking on the questions. First of all, around movements. Movements have been made. In fact, I think the complete success of 103rd Academy FTO program is really a reflection of a lot of changes in our training, in our selection of both FTOs and the FTOs themselves and in the infrastructure and leadership over training,
- Regina Jackson: This was the class where the two black women were not able to complete, correct?
- Chief Manheimer: Yes. They didn't complete the Academy.
- Regina Jackson: Okay.
- Chief Manheimer: However, they are... Through lieutenant's misleadership going back and have been mentored. Actually we hired them so that they would stay with us and we have mentored them through this process. In fact, they're helping with our recruiting efforts right now, and they are coming back through the Academy and we have a high level of assuredness that they, as well as others, we are mentoring, it is a different process for those who have not been exposed to it, that they will both complete the next Academy and have been shown a lot of and given a lot of experience. So there's a lot of changes we've made and we don't share them with you all the time. We just promoted up three captains and two of whom were African-American and one of whom was Asian. I think that this race and equity team internally is throughout all ranks and all levels within the department.
- Chief Manheimer: They are the standard bearers for safe places, safe spaces and racial equity. So yes, and there will be more moves. I'm sure as the new chief comes in, but everything we've done has been a reflection of these values. So I feel fairly confident that we have made changes. And I think that's why we responded to a significantly, the Hillard Heintze report. And in fact, adopted all 14 as



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Chief Lindsey said of those recommendations. Chair Jackson, I want to assure you that bringing in the scientists will help us in absolutely the architecture of metrics.

Chief Manheimer: I know everyone's been asking for them, our plaintiff's attorneys and others, what are the measures? What are the outcomes? What are the metrics? And these are things that we're looking at doctors Eberhardt and Monin to help us with as they institute the levers or the pain points as acting Lieutenant Smith called them of where the decision points are and selection points that could tend to filter out people for all kinds of implicit bias and other reasons. And as we identify those, as we continue to eliminate those, as we are with anonymization and mentoring and other strategic targeting of individuals, we will have those metrics in place to show how we have improved in those. So that is where we're headed. I'm sorry, we don't have the metrics yet, but that's happening sort of organically through the doctors coming on board in phase two, but you will have further reports on that with outcomes.

Regina Jackson: Thank you. I think this will be good to schedule for January. It gives you a couple of months to be able to get through perhaps another Academy and see some of the fruits of your labor. I'd like to ask if there are any other commissioners who have follow up questions, Commissioner Dorado.

Jose Dorado: Thank you, Chair Jackson. Yeah, I had more, more or less a comment. And that is that I'm glad to hear that there was some changes in FTOs and that the mentoring will continue beyond the academies. And that is because much of the toxic culture in OPD is passed on to the rookie cops, through the FTOs and the sergeants and those police officers in OPD who have that perspective and that's what needs to be eliminated. So I'm glad to hear that those two areas are being moved on because those are the kinds of things that have to change in order that the culture begins to change within OPD. So I'm glad to hear that. And I may well be asking some more questions offline regarding exactly that and recruiting. I'm glad to hear from acting Lieutenant Smith about homegrown police officers, because I do firmly believe that someone that is born and or raised in Oakland has a substantial leg up on serving our community. And so I'm glad to hear that that's also focused. So thank you very much.

Regina Jackson: Thank you, Commissioner Dorado, and you helped me remember two more points, two more questions I wanted to ask. One, I would like it if the commissioners, as these positions or identified can receive job descriptions. I know that we are a fairly significant pipeline for talent. And so rather than having to kind of course through the website to see what's new, it would be nice if we could just receive job descriptions. And then the second thing is under Chief Kirkpatrick. I remember us talking about the design of a mentoring program, and now I'm actually hearing that it's in place. I would love to be able to... As a mentoring expert, specifically in youth development, but, you know, great mentoring happens the same way, no matter who you're dealing with. I would love to be able to see the curriculum. I'd like to review it. There may be no recommendations that I might have, but I would just love to see what it is you're operating with.

Chief Manheimer: Thank you. We will have Captain Joshi gets you that curriculum. And we welcome the opportunity, both for any assistance in recruiting, as well as for input on the mentoring and... Chair Jackson for you, especially being in youth development, we'd appreciate that. It has been



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really hard for us to get out and to get into our targeted communities during shelter in place. So we would love it if you all could get out the information for us as well. This is a challenging job and one in which I think Lieutenant Smith wants to ensure everyone that we are very, very keen and focused on reflecting our community.

Regina Jackson: Thank you very much. Are there other comments or questions from the commissioners? Okay. I'm seeing none. I want to make sure that we calendar regular updates, quarterly updates on this point, because it is so acutely important and we can go to the public. Now, Mr. Rus.

Juanito Rus: Thank you, Madame Chair. At this time, if any member of the public would like to speak on item five, please raise your hand in the Zoom queue and you will be called in the order in which your hands are raised. The first name I see in the queue is Joseph Mente. Hello? Mr. Mente, can you hear us?

Joseph Mente: Yeah. Can you hear me?

Juanito Rus: We can hear you whenever you're ready.

Joseph Mente: Joseph Mente, district one. Police Chief Manheimer announced today that OPD has released the stop data, but I find it curious that they chose to not release the source data as they have in previous years. Chief Manheimer has also neglected to note why that was omitted. Given the significant delays and the clear public interest in this data, why wasn't the source data released and why didn't Chief Manheimer tell us about it? Thanks.

Juanito Rus: Thank you. The next speaker in the queue is Megan Steffen. Good evening, Ms. Steffen, can you hear us?

Megan Steffen: Yes. Can you hear me?

Juanito Rus: Well, we can hear you whenever you're ready.

Megan Steffen: Thank you so much. Yeah, same thing. I guess I wasn't clear enough in all the meetings that I've come to talk about this. I was hoping that the racial traffic stop data would be released in an Excel format, much like years 2015, 2016, 2017. For some reason, I suddenly can't find 2018 on the site, but I know it's released because [inaudible 01:48:43] has done a lot of work with it. Anyway, I would love to see what, and I spoke to captain Chris Bolton yesterday at the C-PAB meeting. He made it sound as if the issue with getting the stop data out wasn't analysis, because what you're showing us in this report is analyzed data. It was redaction. Redaction implies that it's raw source data in an Excel document so that I can do things like look up why people were stopped on bicycles. That was a huge issue at council just a month ago. Anyway, that's the kind of data I'm looking for. I will keep asking for it, I guess. Thank you so much.

Juanito Rus: The next speaker in the queue is listed as NT. Hello? NT, can you hear us?





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- Nicole Tollbar: Yes. Do you hear me?
- Juanito Rus: We can hear you. Whenever you're ready.
- Nicole Tollbar: Okay. Awesome. Thank you. So my name's Nicole Tollbar. I am a native Oakland born and raised. I love my city. I'm often have to defend it. It's such a beautiful place, but yes, we do have our blemishes or what have you, or areas of improvement. I'm so excited about the efforts that are being made for diversity inclusion in the Oakland Police Department. This is not a new topic that has been brought forth on many levels with different boards. And what have you. My only concern is that based on the presentation that was offered, I believe by Chief Manheimer or the last speaker on the matter is that I hope, and I hope this is going without saying is that we are recruiting individuals that are committed to doing this job and are capable of doing the job. I don't want it to be more of a affirmative action approach where you're just trying to get certain faces of people in there. Just to say that you're fulfilling a requirement.
- Juanito Rus: Thank you, NT. Your time's up. The next speaker in the queue is Assata Olugbala. good evening, Ms. Olugbala can you hear us?
- Assata Olugbala: Yes, I am reading... Yes. I'm reading from a resolution of the Oakland City Council dated May 31st, 2018. Resolution directing the implementation of changes to remedy the under-representation of women Oaklanders and African-Americans in the Oakland Police Department. The Oakland Police Department was instructed via this resolution in 2018 to start the practice of dealing with the issues you're talking about today as if it's something new. You were supposed to be working on this since May of 2018, and it didn't happen. And I am frustrated with the black police officers participated in something you knew when 100 black men came in 2018 and 2017 to talk about the issues of impacting you, that something should have been happening. Not that it starts now. It should have started in 2018. Speak up black people.
- Juanito Rus: Thank you, Ms. Olugbala. The next speaker in the queue is Reisa Jaffe. Good evening, Reisa. Can you hear us?
- Reisa Jaffe: Yes. I'd like to know when we can expect to see that all new recruits and hopefully, eventually everybody who's in there, but at least starting with all new recruits will be required to sign a pledge that they will be anti-racist. Thank you.
- Juanito Rus: Thank you, Reisa. And the final speaker in the queue on this item is a telephone attendee with the last four digits, 1574. I believe that's Cathy Leonard. Good evening, Ms. Leonard. Can you hear us?
- Cathy Leonard: Thank you. It's Cathy Leonard, Oakland born black woman. Thank you, Chair Jackson and Sister Assata Olugbala: for your comments and your suggestions. Interim Chief Manheim, been listening to you and your friend Commissioner Anderson. I am reminded of a song by James Brown talking loud and saying nothing, but I'm going to add doing nothing. Neither of your words are comforting to black people who are being murdered and racially profiled by police for 400 years. Every single





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day. Action and commitment are the orders for today and going forward, stop talking about your outrage and what you're going to do, and dammit do something. Thank you.

Juanito Rus: Thank you, Ms. Leonard. At this time seeing no further hands in the queue, Madame Chair, I'll return the meeting to you.

Regina Jackson: Thank you very much. I see a hand from Commissioner Smith. You have been un-muted.

Thomas Lloyd Smith: Thank you, Chair Jackson. The question for Chief Manheimer, I'm curious when I think about the effort to recruit African-American women, as well as African-American police officers, I'm curious what strategies and what approaches you're using to overcome the stigma that can exist, where people feel of course uncomfortable with the police, and then yet to be able to go and draw applicants from those communities. Because I think there is a substantial number of applicants out there who could be qualified, but I can also imagine that applying for that job, given all of the press that OPD has had around race relations and issues with black police officers, as well as within the community, it could be something that's a strong deterrent for people who might be considering a career in law enforcement with OPD. So I'm wondering what strategies are you using to try to overcome that and bridge the gap?

Chief Manheimer: Through the Chair, could I respond to that?

Regina Jackson: Oh please.

Chief Manheimer: Thank you. I'm going to share something personal here. When I first came to the department, I had a long sit down with the acting Lieutenant Smith, not in his role as our recruiter. Well, yes, but also in his role as the Black Officers Association president, and he said to me, Chief, how can we meet this goal of recruiting African-Americans when we've got the Hillard Heintze study out there? And when we have shown disparities internally? And I said, you know, I think we talked a long time. And one of the things was that not only did we self discover this, we know that institutional racism is inherent in every single organization and not just police departments, but this is the department that did something about it. They discovered it, they put the survey together, they did the study, they adopted those recommendations.

Chief Manheimer: It's taken a while. And, you know, we came to the point that if we put those faces, those trusted faces that already reflect the communities that we are going to outreach to. A lot of our individuals here in our department, African-Americans people of color who come from and represent you know, East Oakland and other areas of West Oakland, that if we put them up front and if we start to do the type of self discovery and self admission and what we're doing about it, that we would have even more a relevancy. And I'd like to ask if I could Chief Lindsey, because I think Chief Lindsey has really taken this on as both a personal and a professional goal to work with Lieutenant Smith in reflecting our community better. So if you don't mind, I'd like to give her a moment to share some of what we are doing.

Regina Jackson: Sounds good. Do you see Lindsey?



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- Chief Lindsey: All right. Thank you everyone. Awesome. Thank you. So, yeah, so as you all know, I have been teaching part-time at Merritt College for about five years and at Merritt College through Administration of Justice program, the majority of the faculty are African-American instructors, who all are former law enforcement officers. And so we have taken it upon ourselves to mentor, educate and develop not only women that are African-American, but you know, the students who are from Oakland and who want answers about how they can realistically, you know, work in these types of professions as police officers, particularly within the Oakland Police Department. We not only mentor them, but we have a strong collaboration with the Oakland Police Department. We continue to push forward the pipeline program where we not only have a pre-Academy program at Merritt College, but you know, now the Oakland Police Department has instituted a pre-Academy program there.
- Chief Lindsey: And so, you know, through this educational process, just trying to work to tear down, you know, myths and just make the profession seem more appealing and, you know, open to them where a lot of them didn't feel like it could be something for them because of some of the distrust that's, you know, been born in the community, but we feel like we've been successful because we do have a lot of students that are interested and that are in the process. We do get a lot of our students hired in the process, and then we're working to expand our reach throughout the Peralta college community. So Laney College, College of Alameda. And then there's another point that I like to bring up that has been ongoing in the background and recruitment unit. We have been reaching out to the African-American women who were in our process, our hiring process and who dropped out for whatever reason.
- Chief Lindsey: And so we have been, you know, talking to them, finding out what are some of the reasons why you weren't able to complete, you know, the hiring process? Is there anything that we could do better, anything we can do differently. And so based on that information that we're gleaning from them, we've been, you know, beginning to make some adjustments to ensure that we're doing the things to make our department more open, you know, starting to address the needs and concerns that they are expressing to us as to why they were reluctant to continue on in our process. So I think some of these things have been really helpful for us, and we're starting to see more interest being piqued with this group of women and we'll continue to talk to them, we'll continue the pipeline program, and we'll continue to just press on to make sure that this department is appealing and open and for all people who want to apply. But right now we are focused on finding out more information about African-American women.
- Regina Jackson: Thank you, DC Lindsey. I have another follow-up as well, since you are going back and talking to females, black females who have dropped out, are you also going to take a look over the last six or seven academies to the folks that are kicked out, excused? What have you? And it seems to me like there's a lot of it happening right around three weeks before graduation. I remember seeing maybe just a couple of classes ago, you know, like four or five African-American males and maybe one Latino male excused, like almost on the eve of the completion. And I think it would be very important, you know, basically for all the folks of color who have found themselves in those kinds of situations to really understand and be very clear about whether the FTOs in those circumstances just didn't want them to finish. You know, I hate to say it that way, but we



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absolutely recognize that there is a culture that is alive and well, it may not be a full-on disease throughout the department, but as Commissioner Dorado mentioned, you know, that's where culture can get poisoned is on the way in.

Regina Jackson: So I want to make sure that in your due diligence to understand quote unquote, where things are derailing, that you also, you know, take a look at that because when people are misused, abused, rejected, and perhaps it seems like it's an oversimplification, or perhaps even just trying to get at someone, you know, that's a pain that sticks with you. And if it's not really about technical issues, it deserves a conversation. Maybe those people will never reapply, but based upon the conversation and perhaps the significant commitment and dedication to change, maybe they might reconsider. And therefore you have a leg up on, you know, bringing somebody back.

Chief Lindsey: Yes. Thank you, Chair Jackson for bringing that up. I have been working with Captain Joshi because he's one of the subject matter experts assigned to the racial disparity study. And I do know that he has been very intentional in evaluating, you know, challenges that he's observed with failures in the Academy and failures within the field training program. And I am aware that he has been, you know, very selective at who he places as, you know, recruit training officers and also field training officers. And we're beginning to see some changes there, but I do think it is important for us to make sure that we're getting information from any of our trainees that may not complete the Academy and find out if there are some things that we could be doing better, you know, following up to make sure that we don't have any personnel in place that is discouraging them, or, you know, engaged in any type of behavior that would cause a person to not feel like they're being treated respectfully or they're, you know, they're not comfortable.

Chief Lindsey: So I do know that those are some things that he is paying very close attention to, and he's continued to work on making those changes. And hopefully, you know, he'll continue to see some of the successes that he's been seeing recently which is just helping people get to the finish line. And then just in terms of the two African-American women that had failed out, typically any Academy, some of the more challenging tests come up, and I know that he is working hard to put in some additional strategies to help them be successful in completing those challenging tests. So if it's firearms, or if it's defensive tactics, I know that he's really, you know, trying to drill down to figure out what can we do? Should we offer more training? You know, and then also just to kind of go back to the pre Academy program, that's been instituted by Captain Joshi, which is about two weeks before the Academy. And so he has taken time to start working with these new recruits on areas that we are most vulnerable for losing people out of the Academy. And so we're hoping that with that strategy that we will see better results in, you know, getting all of the people that we hired to complete the Police Academy.

Regina Jackson: Well, I tell you what, I am very excited to hear that I want to provide you all. And particularly Captain Joshi, whatever support I can, because this is a really, really important and critical time. OPD deserves to be the best of the best, and it deserves to be an equitable space. And so even though it's, you know, coming two years after the resolution, as Ms. Olebella mentioned, I'm glad we are moving the agenda. And like I said, I want to see this on our agenda quarterly because we have many years to make up for and to move out of a toxic culture is an every day commitment.



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Are there... Oh, I see two more hands. So Commissioner Smith followed by Commissioner Harris. You've been un-muted.

Thomas Lloyd Smith: Thank you. Thank you. Thank you Chair. So I just wanted to follow up and ask about the other program and whether this diversity and inclusion initiative for African-American females and then also African-American males is also reaching your cadet program. Cause I know that program focuses on students that are, you know, high school seniors up to, I think, 20, 21 years old or so. And I know that's a pathway for a lot of young people who are interested in a career in law enforcement, but I'm curious as to whether or not you're focusing on that as a pathway to get African-American females and African-American males who could become law enforcement officers, because I know it's also tied with that pathway to public safety program. I believe that helps them get an associates degree as well. So if you could talk about that, that would be helpful.

Chief Lindsey: Yes, sir. So we are very intentional again about our pipeline program, which not only includes the police cadets, but we also have police explorers that can join the department at the age of 13. And recently we've just, you know, been more intentional about how we are using our existing units, such as the Powell program, RU in our OK program and the officers that are assigned there to also be a force multiplier and trying to get the young men that is already within those programs interested in that pathway that you just described to becoming, you know, either police explorers, if they are at their appropriate age and or the police cadets.

Chief Lindsey: And so those things are being done in addition to our outreach through Merritt College. And just as a side note, because I don't think I mentioned this, but Merritt College, the administration of justice program is situated in several high schools within the city of Oakland. And so that also extends our reach to the students here at Fremont, at Castlemont High School. And also McClymonds High School where there are classes being taught there. And so it's very easy for us to do recruitment there, educate the students and get them to understand that there are some opportunities here within the Oakland Police Department for them to get engaged in.

Thomas Lloyd Smith: Thank you. Statistics would be good when you come back next time just to understand how deep the reach is and how effective we are in being able to make diversity a substantial part of that program, particularly targeting African-American females and males.

Chief Lindsey: Yes, sir. We can do that.

Regina Jackson: Thank you. Commissioner Harris. You've been un-muted.

Ginale Harris: Thank you chair. First. I want to just say thank you to Deputy Chief Lindsey for stepping up to the task. I want to just say a few points in regards to race and equity. When the Oakland, when the black officers came to the police commission and brought the letter, I was not surprised. However, I wanted to see how this would be handled and as is expected, it was not handled properly. And so we came in with the disparity study that was done by Heintze and something. I'm sorry, I forgot the name.



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- Regina Jackson: It's Hillard Heintze.
- Ginale Harris: Right. Okay. So I did some research of my own in regards to the agency itself in regards to the work and doing disparities. Well, I came to find out that themselves, they don't have any black staff. So I find it odd that they do disparity studies in regards to African-American people, too.
- Ginale Harris: They already had an existing relationship with the city of Oakland, which I also found not surprising. And when I read the outcomes of the disparity study, it was a lot of fluff. It was like, okay, we have a problem. Okay. We have a problem as if we didn't know it already. And as Ms. Asada already pointed out in 2018, the city council wrote a resolution because they knew that we had a problem in the department already. And then this city has tasked two people that work in the office of race and equity to solve our racial issues in the snap of a finger. So they come up with a few suggestions and we start working on them and then all of a sudden everything will be fixed. Well I'm not buying it. So what I would ask this commission to do is request that we have an outside investigator do another report because I know that there's more than that they are claiming. I know that there's more, it is more severe than what they are claiming, and I want them to own it. We owe it to our officers, we owe it to our public, we owe it to the citizens of Oakland. We know that there are things going on, but nobody wants to own it. And this is their way of saying, "okay, we have a problem. A small problem."
- Ginale Harris: No, no, no. This is 400 years. This is 400 years of culture that is negative biased, racist, oppressive, all of that. We have a lot of good police officers and because of this kind of culture and Oakland's not the only department that has this, this is global. Black people are hated all over the world. We are the most marginalized. And in every disparity study you do, it will show that.
- Ginale Harris: So, I would ask the police commission, although this is my last official meeting, I would ask the police commission to look into having an outside entity, who has no ties with the city of Oakland, do a disparities report that can be unbiased and fair, because this one I don't believe is fair. My question to the people who have done this study: you have no black staff, you have no Latino staff, you have no staff of color. And yet you're doing the disparities report? Okay. I am not convinced.
- Ginale Harris: As Miss Assata said, this has been known since May of 2018, that we needed to do something. And it is only now that they are addressing, it because of what is happening with the killings of black people on TV and through social media. I would challenge our department to take one step further. We are progressive, and if you mean what you say, then let's do another, let's do another disparities report. Let's do one that's fair and that tells the truth. Thank you.
- Regina Jackson: Commissioner Harris, I've got some good news. Actually the CPRA is in the middle of an RFP for that particular subject, because I think that you raised it several months ago. They should have a recommendation late November, early December, around who to hire to do that report. It is in the process.
- Ginale Harris: Thank you. Very good. I appreciate it. I will be in the audience.



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- Regina Jackson: Do any other commissioners have any questions? Okay, I see no more hands. Mr. Alden... We've had a switch, Mr. Rus is now gone and Mr. Alden will be managing the public comments from now on.
- John Alden: Yes, Madam Chair, I'm sure I'm here and I'm ready. If I heard correctly, I think we had public comment on the site and then came back to some questions from commissioners. If I have that right-
- Regina Jackson: You are right. You're right. My apologies. Yeah. Okay.
- John Alden: All right.
- Regina Jackson: So we can move forward.
- John Alden: Not a problem. Okay. Madam Chair, then I believe our next agenda item is item six, the use-of-force ad hoc committees report about a department general order K3, regarding a use-of-force.
- Regina Jackson: Outstanding. I feel like we ought to do a drum-roll. Commissioner Harris, Anderson engage. I am sure that Commissioner Harris will take the lead tonight. Thank you very much.
- Ginale Harris: Thank you, Chair Jackson. Before we get into this policy and the reading of it, I'd like to hand over the floor to Commissioner Anderson, to say a few words, Commissioner Anderson.
- Tara Anderson: Thank you, Commissioner Harris. I appreciate the opportunity to say something prior to us getting too far into the details of the policy that is before the commission tonight, we wanted to be sure that we started with a moment of grace and gratitude. The last four months have included community engagement during one of the most exceptional time in our lives, mass protests and calls for police reform, economic recession, and pandemic. The activities required to keep us safe from the virus, including shelter in place, had us pivot toward and lead harder into, innovative ways to hear community voice. We engaged with Raheem AI, the Raheem Advisory Board, ACLU, CPA, and so many more individuals and community members. Through this partnership, we used digital tools and conducted targeted outreach to ensure that those most directly impacted by police violence and use-of-force were heard.
- Tara Anderson: This was an essential step, as we know that regardless of how accessible via virtual or in-person space is made, there will still be those who do not feel comfortable coming forward. We piloted live document-editing tools and comments. We saw the benefits of having a project manager for an all-volunteer commission. Again, all-volunteer commission. We held a special meeting on use-of-force, where the commission as a whole heard from organizations that gave that subject matter expertise and direct guidance. As a result, we have recommendations that far exceed the scope of a use-of-force policy, which in my view is great and will serve to inform the work of the commission, the council, the mayor, and those serving on the task force re-imagining public safety.





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- Tara Anderson: As we move forward and discuss the details of the policy, we want to do so with appreciation to all of the voices that we heard from. In areas we could, we have called out those sections where feedback was incorporated. We were intentional and methodical in our review, and always centered around thoughts towards people this policy would protect. That is why, for example, you see person centered language. As I've been known to say, "language matters."
- Tara Anderson: Many of the use-of-force policies that were held as national models, that we reviewed, were considered bottled policies, referred to people as subjects. In fact, you will see that term used over 90 times in San Francisco's use-of-force policy. The Oakland policy before you tonight, is focused on people. Persons subject to the use-of-force policy, by the Oakland police department and the people, the sworn officers, the people in uniform, entrusted with that duty. Additionally, we have called out methods of use-of-force for what they are, weapons rather than tools.
- Tara Anderson: Thank you for your feedback. You made these important changes possible. I now defer back to Commissioner Harris to guide the commission as a whole through the draft policy before us.
- Commissioner Ha...: Thank you, commissioner Anderson. This evening is a culmination of many months worth of collaboration, debate, research, wordsmithing, and the beginning of a trustworthy relationship. This commission serves the community that has lost faith in the police officers sworn to protect and serve us, revising this policy at the time in our nation's history where we're looking at institutional racism, power structures, and the effects of politics on a metropolitan city like ours, it is no surprise how these things have affected our quality of life and people in our community right here in Oakland.
- Commissioner Ha...: Being the chair of this ad hoc has made bringing OPB and marginalized voices from the community to the table, which include black and brown stakeholders [inaudible 02:20:36] Social justice change in Oakland. This is unheard of. While engaging in the ad hoc, this commission was able to establish a honest working relationship. That has never been done. And I mean that no lies, no games, no [inaudible 02:20:55]
- Commissioner Ha...: The use-of-force ad hoc was representing the community from different perspectives. We were able to agree to disagree while keep- (silence)
- Regina Jackson: Commissioner Harris? I think we lost you.
- Ginale Harris: I'm sorry. Hello? Can you hear me?
- Regina Jackson: We're back now, yes.
- Ginale Harris: Okay.
- Regina Jackson: I missed you at "keeping." (silence) Commissioner Harris?
- Ginale Harris: Chair?





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- Regina Jackson: Yes. Are you there?
- Ginale Harris: I'm here. Can you hear me?
- Regina Jackson: Yes, I can now.
- Ginale Harris: Okay. I'm sorry. So, in a unique way, every member... Can you hear me?
- Regina Jackson: Yes.
- Ginale Harris: Okay. I'm going to start again. In a unique way, every member of the use-of-force ad hoc was representing the community from different perspectives. We were able to agree to disagree while keeping our eyes focused on the prize, which was revising an outdated use-of-force policy, that prioritized people's lives, and pushed for deescalation and disengagement, instead of immediately turning to use-of-force. I'm constantly saying that we must be our own experts, and through community engagement and the ad-hoc process, we were able to capture the most marginalized voices that have not been heard in a long time. We have made sure that everyone, especially black people, often overlooked, had a say in how they wanted the police to conduct themselves. I would probably say that politics played no role whatsoever in the creation of this policy.
- Ginale Harris: This commission works for the people of Oakland, and I believe [inaudible 02:23:31] reflects that. I am also proud to say that this commission set a precedent of honor, respect, and trust, truth over peace. The nine months that we collaborated with the police department was good, honest work. The way we reached out to the community and the Oakland public at large was with integrity. I can honestly say that the police commission [inaudible 02:24:02] change when it came to rewriting this policy. This process has not been to everyone's liking, and I've never shied away from telling you what the use-of-force ad hoc is doing and why. (silence)
- Regina Jackson: Commissioner Harris?
- Ginale Harris: I'm here.
- Regina Jackson: Okay.
- Ginale Harris: Okay. Okay. Okay. I can honestly say that the police commission led the charge when it came to rewriting the policy. This process has not been to everyone's liking, and I've never shied away from telling you what the use-of-force ad hoc is doing and why. I've heard a lot of criticism and complaints about the process from people who are unlikely to have any use-of-force engagement with the police. However, the ad hoc meetings were not made public at my request. The intent was to get authentic, honest answers and dialogue from the Oakland police department itself, and that's what we got.
- Ginale Harris: There are certain groups of people that believe they speak for all of us who are affected the most by this policy, and they do not. This policy reflects the voices that are most marginalized and



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affected by the use-of-force on a daily basis in their daily lives. Before we move on to the use-of-force policy for discussion, I just want to thank everyone that was part of the ad hoc committee for your dedication to this process and trusting me to provide true leadership in such a raw and uncut manner. No politics, no games, no lies.

**Ginale Harris:** Let me start by thanking my colleagues, Commissioner Anderson and Vice Chair Gage. I would also like to thank the members of the Oakland police department, starting with Deputy Chief Armstrong for your continuous leadership on all fronts. D.C. Holmgren, you kept us moving. Thank you, Captain Joshi for your visual perspectives on what training would look like and also to Phillip Best, the Police Services Manager, for coordinating all of our meetings and making sure we had all the information we needed to get our work done. Thank you to Sergeant Turner, your diligence and joyfulness made the process little bit easier.

**Ginale Harris:** Let me also acknowledge and thank John Alden, Executive Director of the CPA. I'm really glad we hired you, and I mean that. I'd also like to thank Brigid Martin, the Deputy City Attorney for making the time to attend these meetings, as well as allowing us to collaborate effectively as a team. And of course, to Jim Chanin, I have anointed you the Knight of the Virtual Round Table for your thoughtfulness and your commitment to this city and its people. I want to thank the community news reporters: Jaime Omar Yassin, otherwise known as Trash Night Heron, and Megan Stephen, for reporting the real news. Last but not least, I've saved the best for last, to the people of Oakland: thank you, thank you, thank you for loving Oakland enough to continue to fight for her. Thank you for filling out the forms, filling out the survey, and for coming to these meetings every other week. This is my last official meeting as an Oakland Police Commissioner. It is my honor to present the revised use-of-force policy. Thank you Chair.

**Regina Jackson:** Thank you very much. Commissioners, do we have any questions? Well, I'd like to make a statement while people are thinking about what questions they'd like to pose.

**Regina Jackson:** This nine months sojourn, that you've led, Commissioner Harris. I've heard about it in bits and pieces. The work was just so deep and so challenging that I believe that the work product that you all have come up with and are presenting tonight is one of excellence. I had a zoom call this morning with students from the MISSEY program, sexually exploited girls, and they encouraged me to vote yes, because of so many of the things that you identified, that spoke to them, to help them feel more safe.

**Regina Jackson:** Again, this was an extraordinary collaboration between the Oakland police and the Commission, as well as other members of the ad hoc, Jim Chanin and others. It's a very comprehensive document, certainly exceedingly quality, as what you typically present. I just want to say congratulations to you commissioner Harris, Anderson, and Gage, I think it is a job well done. While I know that they're... Not everybody got what they wanted, I think it's something you can be very proud of. Are there any other questions from commissioners before we review, or take a vote, or hear from public comment?

**Regina Jackson:** I see a hand from Commissioner Dorado, you've been unmuted.



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- Jose Dorado: Just want to say to the ad hoc committee, thank you for your tremendous work. I've gone through this and can appreciate all of the time and effort you put into it. That and also OPD and community members. So yeah, while not everybody's going to get what they want, I think we can most definitely work with this document and I certainly am planning on supporting it. Thanks again.
- Regina Jackson: Thank you, Commissioner Dorado. Are there any other questions from commissioners? (silence) Commissioner Harris, what is your pleasure? Should we go to public comment?
- Ginale Harris: Yes, that will be fine.
- Regina Jackson: Okay, great, thank you. Mr. Alden?
- John Alden: Yes Madam Chair, we can start public comment now if that's where we're headed next. Members of the public, if you would like to speak on this item, please raise your hand in the attendee queue now. While we're waiting for people to raise their hands, I'll switch our screen-sharing over to our speaker clock. So far, it appears we have nine hands up in the speaker queue. We'll go through those folks in the order in which they appear in our queue.
- John Alden: The first is a speaker calling in from a phone number ending with 1362, caller at 1362, I have unmuted you on this end. If you unmute yourself, you may proceed as soon as you're ready. 1362, my system says you're still muted on your end. Make sure you unmute yourself and then you can start. All right, well, speaker at 1362 it sounds like we're not able to hear you yet, I believe you're still muted on your end. While you take a look at that, I'm going to move to our next speaker in the queue and we'll come back to you.
- John Alden: Our next speaker in the queue is also from a phone number. This one ending in 1574. 1574, go ahead.
- Cathy Leonard: Good evening. It's Cathy Leonard. I just don't believe what I'm hearing here. The ad hoc only put forth language that OPD agreed to. Some very reasonable and essential proposals were not included because OPD, as usual, refused to budge. The commission has the authority and the responsibility to make policy that makes Oakland safer, without OPD's consent. The community input was delayed, partly by COVID, to the end of the drafting process. The drafting with OPD took a year, input from Oaklanders only happened in the last two months. There's not been enough time to integrate the many important proposals from people who will be policed under the new policy. The commission must not act in haste by passing a policy, which could be better and should integrate the needs expressed by the community. Community input can not be an afterthought on the most important policy for fair and just policing in Oakland, please reconsider voting yes tonight. Thank you.
- John Alden: Thank you, Ms. Leonard. Our next speaker in the queue is from a phone number ending with 1574. We'll reset the clock. 1574 you're unmuted on this end. Go ahead when you're ready.



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- Cathy Leonard: Okay, so that's Cathy Leonard again, I get double time?
- John Alden: Oh, no, sorry, my mistake. Thank you for being so honest, Ms. Leonard.
- Cathy Leonard: Don't vote yes tonight.
- John Alden: Sorry, folks. This time I've lowered your hand, Ms. Leonard, so I won't make that mistake again. Our next speaker in the queue is from a phone number ending with 6077. 6077, you are unmuted on this end, you can proceed when you're ready.
- Alicia Socacci: Hello. My name is Alicia Socacci. I am an East Oakland native, 48 years and my four black sons are fourth-generation Oakland natives. I am a part of the East Oakland Collective and recently sat on the advisory committee for Raheem, and I'm very concerned. Ad hoc's draft of the policy does not account for the community input received over the last three months. There should be no vote on the policy draft until community concerns and input are fully considered and incorporated. Raheem conducted a three-month survey as requested by ad hoc, and targeted those most impacted by and vulnerable to police violence in our city, namely my black sons and all unhoused folks here. Raheem has outlined 10 recommendations based on survey results. The commission must take full consideration and respond to those recommendations, especially those directly covered by the use-of-force policy. Thank you.
- John Alden: Thank you very much. Our next speaker in the queue, shows in our queue as Anne. Anne, you are unmuted. Go ahead.
- Anne Janks: Since I only have one minute, I'm just going to talk about one issue. In the last 18 months, the coalition for police accountability has had many conversations across Oakland. People with disabilities talked about being handcuffed and their arms forced in ways that they just don't go. Regina youth, you are letting them down. They talked about being handcuffed routinely by officers for no reason, when they were presenting no threat. We heard from many residents who are handcuffed routinely in their neighborhoods. This idea that... And none of that language is presented. We asked for specific language for vulnerable populations and it's not there in terms of handcuffing, tasing, or anything else. This idea that not everyone got what they want, OPD got everything they want, they had veto power. If they didn't agree, it didn't get into the language. Please do not rush this. Do not finish this job. Not a single organization in the Raheem adv-
- John Alden: Thank you, Ms. Janks. I'm so sorry, but your time is expired. Our next speaker in the queue is Bruce Schmiechen. Mr. Schmiechen, you are unmuted, go ahead.
- Bruce Schmiechen.: Yes, you can hear me?
- John Alden: Yes, sir.



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- Bruce Schmiechen: Thank you so much. I'm stunned by what I'm hearing. I'm going to also, because we only have one minute focus on one thing that I raised before. No member of the community who reads this existing draft can go through less lethal weapons and find a single really word that explains what the restrictions are in less lethal weapons. This is crazy. There're references to training bulletins and we were told by chief Manheimer, the training bulletins are not public documents. I've learned that, trying to find them on the OPD website. And there aren't really any training bulletins that contain these restrictions, because the restrictions don't exist in the policy. This is not a ready for prime-time policy, do not vote for this. This is crazy.
- John Alden: Thank you, Mr. Schmiechen. Our next speaker in the queue is listed as Susan Shaw. Susan, you are unmuted. Please go ahead at your convenience.
- Susan Shaw: Can you hear me?
- John Alden: Yes, we can go ahead.
- Susan Shaw: Okay. I understand that next meeting, which is in two weeks, we will have three new commissioners, so it doesn't make sense to pass this now, when you have three new people coming on, who will be doing the implementation of this new law, if you pass it. It feels like the same thing the Republicans are trying to do, to get their judge on the Supreme court before the election happens. Please keep that in mind. The other thing is I understand that this doesn't include anything about use of police dogs, tasers, handcuffing, and racial disparities. So it's not complete. Please, don't vote it through tonight. Wait. You need more information, especially from impacted community members. Thank you.
- John Alden: Thank you, Susan. Our next speaker in the queue is Mariano Contreras. Mr. Contreras, you're unmuted. Please go ahead when you're ready.
- Mariano Contreras: No doubt this is a good policy, but it can be much better. It can be much better. We can do better, especially on the question of race. The ad hoc committee mentions racial bias in one long sentence. The ACLU's draft mentions this in four sentences, they preface their draft with core principles, their commitment to anti-racism and non-discrimination. A commitment to procedural justice. The CPA, the coalition, also mentions race in the disengagements portion of it. Please, this is too important. We need to identify this policy, it's about race, race motivates misconduct. I participated in three public forums and none of what we recommended are included in here. Please do not vote on this tonight. It's too important right now. Thank you.
- John Alden: Thank you, Mr. Contreras. Our next speaker in the queue is listed as, I believe, Jnf Hoffman, if I have that correct Jnf Hoffman.
- Jnf Hoffman: Yes, that's correct. That's correct.
- John Alden: Please go ahead.



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- Jnf Hoffman: Thank you. I have been hearing from community members, that there is more to be done on this policy. One example is a new piece of language that came about as result of input from Youth Alive activists, it's titled Community Impact of Force Incidents. So Youth Alive recognized that use-of-force incidents impact not only individuals, but communities as a whole. And we, me and the people I've been speaking, with feel it's very important to consider how use-of-force impacts morale and you know, trust and all that in the community. We also have concerns about notification when something happens, when use-of-force-
- John Alden: I'm so sorry, Jnf Hoffman, but your time has expired. Go to our next speaker in the queue, which would be Assata Olugbala. Ms. Olugbala you're unmuted, please go ahead when you're ready.
- Assata Olugbala: Yes, this is a joke. I was in a meeting with Youth Alive, and this lady is talking about all these concerns. They weren't brought up at the forum ,for which they had the opportunity to talk about it. I was in the meeting with the Latino African-American coalition and the man who just spoke to the issues, they didn't bring that up at that meeting. Ms. Harris, whatever you have to say in terms of where this issue is, I support you. All of these people popping up right now at the last minute, talking about all of these problems that haven't been addressed. There were forums and outreach opportunities to bring up these things and to bring it up at the last minute is ridiculous. It just shows how people are not willing to work with you on things that you've done. So if you say it's ready, I believe it's ready. And I heard people from the commission having opportunities to say something-
- John Alden: Ms. Olugbala, I'm so sorry but-your time's expired. Our next speaker in queue is listed as Terri McWilliams. Terri McWilliams, You are un-muted. Go ahead.
- Terri McWilliams: Thank you. I was just asking that you reconsidered to allow a little more time for community input. And I asked that because I have a meeting that I'm sorry, I can't recall. The commissioner Harris was there. And I brought up that I had attempted to go online to complete the Raheem survey for the community input and I couldn't get online, only to discover that the representative who was at that meeting stated that they had closed the survey, as of September 11th, and even the commissioner didn't seem to know that either, she was very gracious and was willing to try to understand why I couldn't make the September 25th deadline. So if I couldn't do that survey online, even though other people may have, other community input from other avenues, how many other people weren't able to get online because Raheem close that survey early. Thank you.
- John Alden: Thank you, Terri McWilliams. Now for our next speaker, we have a phone number. I believe he called on earlier and had some technical difficulties, but it was a phone number ending with 6077. So if memory serves 6077, I believe you're next. And you are un-muted, but you're still muted on your end. So if you unmute on your end, you should be able to speak.
- Speaker 6: I already spoke.
- John Alden: Very good. Thank you. Then our next speaker would be Brandon Anderson. Brandon Anderson, you are un-muted. Go ahead.





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- Brandon Anderson: Hi. Thank you. Before I started my time, I was under the impression that I'll be able to speak, but for some reason I don't know if that's true. I have a panelist [inaudible 00:02:47:24] that didn't work.
- John Alden: Well, I think you've got some time right now. You want me to start the net over?
- Brandon Anderson: Oh, well I was under the impression that I would be articulating the findings and 10 policy recommendations from the study since this was the final meeting.
- John Alden: Sure. Let me check in with the members of the ad hoc and we'll come back to you.
- Brandon Anderson: Okay.
- John Alden: Be right back. In the meantime, let's get our next speaker in the queue, which I believe is Rashidah Grinage. Yes Grenada, you are un-muted.
- Rashidah Grinage: Thank you. Well, just before Brandon speaks. The commission voted to pay Raheem \$40,000 for the work that he's now about to describe, but that work is not included in the policy. The timing is all wrong and it's nobody's fault, it's COVID's fault. But the original timeline didn't take into account what happened. And the fact of COVID is why the community engagement piece was put off so late. It's nobody's fault and it's not a criticism, but let's just face the reality that the timeline has been thrown off. The work that you paid for, isn't even reflected in the final policy. Let's not rush, let's get it right. There's no reason this is an arbitrary deadline. I think it's because two of the ad hoc are leaving tonight. That's-
- John Alden: Thank you, Ms. Grenada, I'm so sorry but your time's expired.
- John Alden: Now, Madam Chair, just to make sure I'm following the rule of the commission here, was it the commission's intention that Mr. Anderson have one minute? That is my understanding, I want to confirm that before I give him this one minute or make some different arrangements.
- Regina Jackson: Okay. I'm hearing from Commissioner Harris. Yes. Do you think about three minutes will work?
- Regina Jackson: Okay. Let's see. We've heard from Raheem that the report has been made public, and I believe he gave a press conference today. So I'd like to get that policy. Is it available or we can have him do a presentation and give him three or four minutes and he should be able to summarize?
- John Alden: Sure, I believe that the Brittany report includes some policy recommendations. And if you'd like, I can set the timer for however much time the commissioner would like.
- Regina Jackson: Commissioner Harris. Do you think or four minutes is fine?
- Regina Jackson: I'm trying to unmute you Commissioner Harris.



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- Regina Jackson: Okay. I'll take that as a yes. So why don't you set the clock at the time [inaudible 02:51:13] minutes, okay?
- John Alden: Sorry, you broke up there I'm sure. Three minutes?
- Regina Jackson: Four is fine.
- John Alden: Four? Okay. All right. Let me go back to Mr. Anderson.
- John Alden: Okay, Mr. Anderson, I think you had opportunity to hear that exchange. So it looks like you've got four minutes. All right go ahead and start when you're ready and I'll activate the timer.
- Brandon Anderson: Thank you. I wanted to let the public know that they can access the report online and its findings at raheem.org and a specific link at the very top there, will guide you directly to those findings. We did make 10 policy recommendations based on two surveys. One that we conducted with 512 adults living in Oakland and then another survey that we did with 1,340 people through a community survey. And our survey with the 512 adults was a representative sample size of Oakland residents based on age, race, gender, and education, and the community survey of 1,340 people was directly in partnership with the eight Black and Brown-led community organizations, where we found through both of those 166 people who were reported being directly harmed by police use of force. And I just want to read some of the 10 of our recommendations. The first recommendation is that we expand the definition of use of force and revise reporting requirements beyond firearm use.
- Brandon Anderson: Recommendation two; police should not use any force against people threatening to hurt only themselves. Recommendation three; disarm most police and don't send armed police for any unarmed conflicts or nonviolent situations. Recommendation four; send alternative responders to mental health crises, loitering, noise complaints, and other non-criminal issues.
- Brandon Anderson: Recommendation five; is to support state legislation, making all allegations of police misconduct public. Recommendation six; cut the police budget and build more quality affordable housing and mental health services. Recommendation seven is make the police commission city council or mayor, the decider of police disciplinary appeals. And recommendation eight, make the police department or individual officers pay the financial cost of their misconduct. Recommendation nine is publish detailed data about 911 calls. So communities can determine where to reallocate resources. And recommendation 10, is to remove from the force officers with the largest records of misconduct first, when reducing the size of the police force. And I want to conclude by saying we had 121 police encounters that were submitted to us because the city contracted Raheem and the city is held under penal codes, 832.7 and 832.8.
- Brandon Anderson: The city of Oakland is prohibited from sharing these stories. And it is a strong possibility. In fact, we at Raheem is also bound under that same law. The question that I have for the commission is based on our findings and the 10 policy recommendations that we founded in this three month study and the \$40,000 as Virginia knowledge, has spoken about, in order to facilitate this study,



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I'm wondering what action, if any, the police commission is willing to take in response to these if each of these recommendations are recommendations you don't want to put in or think about. I think the idea here is that, I would really appreciate with all the work that me and my team has done. We'd really appreciate your response to these 10 recommendations.

John Alden: Thank you, Mr. Anderson. Madam Chair, while our speaker queue was going on, we had one more speaker join a little bit late. Would you like to get a still call on that speaker?

Regina Jackson: Yes, that would be fine.

John Alden: Okay, we'll do that right now. Our last speaker in the queue is Megan Steffen, Megan Steffen, you're un-muted. Please start when you're ready.

Megan Steffen: Hi, thank you so much. And thank you commissioner Harris for saying those nice things about me. I wasn't going to speak on this item because I understand that the logistics and politics of this had ad hoc committee have been hard, but I am really troubled by the fact that we were going to go through with this item without giving Brandon Anderson and Raheem time to present their findings, particularly after spending \$40,000 to pay for this survey, I really expected it to be treated or at least that we could pretend to take it a little bit more seriously. And I hope that in the future, at least I don't know what's going to happen tonight. I think we could use more time on this policy, but I hope that in the future, at least when the police commission pays a lot of money for something, they actually pretend like they're going to listen to it. Thank you.

John Alden: Thank you, Ms. Steffen. Madam Chair, we had one more speaker pop in. Shall I go to that last speaker?

Regina Jackson: Yes, please.

John Alden: Okay. Our last speaker then is listed as Jenny Zilliac. Jenny Zilliac, you are un-muted please go ahead.

Jenny Zilliac: Can you hear me?

John Alden: Yes, we can.

Jenny Zilliac: Okay, terrific.

Rashidah Grinage: I Just want to pop in again and say that I support the 10 recommendations from raheem.org. It seemed really common sense. I know that everybody's gone through a whole lot of work. It's been really emotional, really hard that these recommendations seem just very common sense and it seems like they're not even being considered. So, that's all I have to say. Thanks.

John Alden: Thank you for your comments.



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- John Alden: Madam Chair, those are all the speakers in the queue. I'll turn the meeting back to you.
- Regina Jackson: Okay. Thank you very much. I've gotten a message that commissioner Harris, his internet is very spotty. And I know from our presentation earlier, that that was the case. I am not certain and would like in the case of not being able to speak with commissioner Harris, speak to commissioner Anderson as to whether or not the Raheem recommendations, some of them or all of them have been accepted or are in the policy or still need to be reviewed. I'm not there.
- Ginale Harris: Chair.
- Regina Jackson: Yes. Oh, Oh, Ginale Harris, very good, Thank you.
- Ginale Harris: I'm here.
- Regina Jackson: Would you like for me to restate my question?
- Ginale Harris: No, no. I heard it. I heard it. We're going to be transparent today, right? And so first I'd like to just say thank you to Raheem. I appreciate all your effort in the work that you've done. We've all done hard work and we'll work collaboratively together.
- Ginale Harris: However, it would be nice to have the recommendations that we paid for before everybody else got them. So people are pointing fingers up here. There was a press conference today that no one knew about. That was they decided to move forward on its own, that nobody knew about. The commission didn't know about it, OPD didn't know about it, nobody knew about it. We knew about it last night. I knew it at 6:53.
- Ginale Harris: So I'm disappointed for Raheem to get up here and act like, "Well, what are you going to do about it?" That is not okay. That is not okay. So yes, the recommendations that came forth, the information that we got from Raheem, of course, of course we took them into consideration and we discussed them. This information, all of this information that was posted onto the website. Who do you think posted it?
- Ginale Harris: Do you think we have staff that posted it or wrote it up? No. This came from Commissioner Anderson, Commissioner Gage and commissioner Harris. All the feedback, the attendance that we did to these town hall meetings, we've all attended them. So it's not like we don't know. And I'm appreciative of the recommendations. Thank you very much. But we paid for that information. But it seems as if you are coming here tonight, not to present information, but to hold the petition, like we haven't looked at these. Of course we have, of course we have, we've had no dialogue with Raheem in regards to these recommendations at all, other than him getting on the mic tonight and presenting them and saying we'd like a commitment from you. No conversation at all.
- Ginale Harris: So that's what I'll say about that. Again, this ad hoc has worked tirelessly on this use of force policy. Yes. It's not perfect. I didn't say it was perfect and it will probably never be perfect, but



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policies don't stop the police from killing people. So understand that. But this is one of the most progressive policies that there is out there. So I'm very proud of it. And I'm glad and proud of the work that we did together. So to hear your comments tonight is disheartening and I understand. But we did consider everybody's input, especially the CPA.

Ginale Harris: The CPA had input at every single meeting, which is what they're not telling you today. So the CPA who gets up here and says, "Oh, they only agreed with the police department." That's a lie. And whoever you're getting your information from is telling a lie, because if anyone knows me the last three years, I'm not agreeing with the police department if I don't believe it's right. So I need you all to stop making things up because you weren't there and you don't know how this process went because you weren't there. However, we did the best we could with COVID and no staff and leaving our day jobs to do this. And all of you experts out there apply for the police commission, because you sound like real good police commissioners.

Regina Jackson: Thank you. Thank you. Commissioner Harris. I have commissioner Anderson in the queue followed by Gage, followed by Harbin-Forte. Commissioner Anderson, you're un-muted.

Tara Anderson: Thank you, Chair. I think there's an opportunity here to correct some disconnect between intent and impact and what I'm really hearing from community in this moment, and Brandon, thank you for speaking to the 10 recommendations is a more direct response to each of the 10 recommendations. We did as ad hoc, receive the Raheem report. Also, together with our fellow commissioners received a report out from Raheem, the interim results of the report. So we've had many different spaces where we have heard from Ms. Raheem and discuss the recommendations both from the survey results and the Raheem advisory body. So we have heard, we have been in discussion together and we did incorporate these 10 recommendations into our discussion around the line edits that were made to K-03 Use of Force and I think it might be a benefit to hear them called out and I can describe them a little bit more directly.

Tara Anderson: I'm going to spend a little bit more time on recommendations, one through three and four through 10, for the interest of wanting to get into the actual draft policy and answer any questions that fellow commissioners may have. Again, just focus most of my time on items one through three, which have the most direct line to edits that would be made to the department general order K-03, which is the Use of Force policy. So as you heard, Brandon describe, recommendation one is, expand the definition of Use of Force and revise the reporting requirements beyond firearm use. Here, I should actually speak beyond just Use of Force K-03, but we went through a process starting August of last year, where we revised K-4, which is the reporting and investigating use of force policy for the department. We did that in partnership with the department and with guidance around the federal monitor.

Tara Anderson: And that for those that tracked their special order numbers was 9196 subsequent to implementation, later we revised that in that order, as 9202. What you see in the K-03 Use of Force policy before you this evening, that we expanded some of these included in the principal section. And we, as in ad hoc, acknowledged that limiting the weapons that are used in Use of Force that there's more work to do, both in reporting and limiting specific items. That's also



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covered in recommendation three. And so we recommend to the commission, or I would, that K-03 reporting and investigating Use of Force really needs a fine tooth comb, but need to go through with the same due diligence we have with K-03, in order to ensure that it is the compliment it needs to be to K-03, the Use of Force policy, that we're discussing this evening.

Tara Anderson:

Item two that was brought forward. The recommendation is, police should not use any force against people threatening to hurt only themselves. As reflected in the K-03 policy before you this evening, lethal force is strictly prohibited against a person who presents only a danger to himself or herself. So it is more targeted in scope to limitations around lethal force. So in some respects, it's not wholly responsive to this general statement of any force, but it was absolutely considered as we refine the language in those sections. Recommendation three, disarm most police and don't send armed police for any unarmed conflicts or nonviolent situations. Here again, we changed the language, really calling out weapons, treating them as weapons, as opposed to tools, and really saw both the re-imagining public safety task force and future hearings before the police commission, as the appropriate space to be responsive to what we heard in recommendation three. Recommendation four, there's a department general order that's specifically responsive to persons with mental illness.

Tara Anderson:

And also we see that there are constraints in state law that in my opinion, create these ridiculous checks that mental health professionals and doctors need to do by getting clearance from police that pull them into interactions that really are best handled by mental health professionals. So clearly there needs to be a reform to welfare and institutions code and several other places. Item five, there's opportunity to do resolutions specific letters of support and an annual policy platform for the police commission. In response to item six, really seeing this as an opportunity to inform the re-imagining public safety process that is currently underway and has specific hard deadlines. We also see with recommendation number seven, that is more general to beyond just the police commission. And I would highly recommend review of the bargaining agreement for the Oakland police department and that the commission can play a role in having a public process that provides more transparency to the details that are included in those union agreements.

Tara Anderson:

And recommendation eight, here I think the opportunity again, is the bargaining agreement outlining that process, providing opportunities for the public to speak into, what is an appropriate and inappropriate concession in a labor agreement and the re-imagining public safety task force hearings that are ongoing. Item nine, again, re-imagining public safety is another appropriate space for this and commission can play a role in posting information, connecting the through line between a 911 call and where it gets dispatched to what happens with police. And there are other key departments that have roles to play here. The last recommendation regarding remove from the force officers with the largest records of misconduct. First again, this was closely tied to bargaining agreement. So I just want to say that myself, commissioner Harris, commissioner Gage, they can speak for themselves as well, we reviewed and strongly considered all these recommendations.

Tara Anderson:

And the top three were most directly tied to any language changes that were made in the Use of Force policy. So I just want to, again, extend gratitude for the work that was done, appreciate all





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of the voices coming forward and the hard work. And I think the signals, not only just the value of the Use of Force Policy, being a blueprint, but all of the things that we need to build off of this moving forward, this is a milestone. It's not the bookend. It's a chapter in the work towards creating the Use of Force Policy that is before you this evening, that commissioner Harris has led and I am in favor of supporting, this evening.

Regina Jackson:

Thank you very much. Commissioner Anderson for clarifying that. As you can well imagine I probably wasn't the only one confused and wanted to make sure that the contract that you'd already taken a look at the recommendation. So that makes me feel much more comfortable. Commissioner Gage. You are un-muted.

Henry Gage, III:

Thank you Chair. As has been stated previously, we have reviewed a plethora of feedback from individuals from specific interest groups from Raheem, from outside agencies and individuals with interest in our policy and use of force in general, as commissioner Anderson mentioned this isn't the first time we've seen recommendations from Raheem, we've reviewed the draft report. We reviewed some of the early survey results to get an idea of what we should be looking at as we move forward. This isn't a last minute, let's -take-a-quick-look-at-tonight-and-see-what-we-can-change. This was very early incorporated into our thinking and into our analysis. There is an ever-present tension when you're looking at a policy like this one with what you can do through this policy right now, and what requires the cooperation and or manipulation of other entities, city council, the state legislature, perhaps even federal authorities.

Henry Gage, III:

By looking at these 10 recommendations, commissioner Anderson is right. The top three are closest related to this policy. Four through 10 are items that many of the people on our ad hoc likely agree with. And I'll let the rest of the ad hoc commissioners speak for themselves, but are somewhat outside the scope of this specific policy. One, turn to the language for a moment, because there were a few comments during public comment, I'd like to address with respect to items that were not directly spoken to in this policy. There was a mention of tasers, there's a mention of patrol canines. Both of those items are discussed briefly, albeit under less lethal tool. Pardon me, it's not tool any more, less lethal weapon options in G-03. You'll note that those sections reference separate GDLs. That's part of the challenge of this policy.

Henry Gage, III:

This policy can be viewed as something of an index. There are so many parts of the department that are touched by Use of Force, that it's an entirety... We could spend years if we had to revise every associated training bolts and DGLs simultaneously, but we don't need to do it that way. But you have before you tonight, is a better policy than the one that came before. This is a new foundation.

Henry Gage, III:

What we can do moving forward from tonight is to take this foundation and build upon it. We need to look at patrol K-9 GDL, that's K-4. We need to look at the Electronic Control Weapons GDL, that's 304. We need to look at how our officers use OSI spring. We need to look at how our officers engage in crowd control. We have plenty of examples from very recent history of why it's important to be very careful and perhaps entirely prohibit the use of chemical weapons on the streets of American cities. These aren't unobjectionable items, these are items that require this



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foundation to accomplish. They're not excluded by this policy, they're supported by it. And that's where we can and we'll get to. Finally, there was a point mentioned with respect to what happens in the community when a police Use of Force occurs. I'm particularly grateful to the organizations that supplied draft language for sections like this. And I'm grateful to the department for taking a step back and understanding that they have a role to play after their officers use force in the community.

Henry Gage, III:

I'll direct your attention to section J particularly section J four. We wanted to make sure that police commanders had a mandate to ensure that when something happens in the community, that someone from the police department was mandated to look around and determine what outside resources could be brought to bear. We recognize that someone who's been affected by use of force may not want to see an officer saying, "Hey, how's it going? Here's a card." But someone used to find that person and speak to them, see what their needs are in that moment. And it may not be OPD, but OPD as the on-scene commander has a role to play in finding that resource and directing them to that person. Finally, I'll close by saying that we've had plenty of disagreements amongst members of our ad hoc. We've had robust debate. We've had challenges posed by the ongoing pandemic. This is difficult work. It's challenging. It's taxing. We're all tired over here. This is what we've accomplished to date, and it will get better. I'd ask this commission to allow this policy to serve as our foundation. Let us all build on this together. Thank you.

Regina Jackson:

Thank you very much, Commissioner Gage. Next hand up is Commissioner Harbin-Forte, you've been un-muted.

Brenda Harbin-Forte:

Thank you, Chair. Hi, to support adoption of the Use of Force Policy and want to thank the ad hoc committee for all of its hard work and as well, thank all of the community members, the groups, agencies, and individuals who participated in bringing this policy about. I have a concern though, and a question about Raheem. We contracted with Raheem. I have been on many public agencies that have contracted with private entities to produce studies, reports, make recommendations. I have never had a contractor, or known of a contractor, try to get out in front of the agency with which the entity has contracted and hold a press conference and put their work out before the public instead of deferring to the contracting agency. So I would really like to find out from Raheem's representative under what authority he had the temerity to hold a press conference without even the courtesy of notifying the Police Commission and without seeking permission from the Police Commission for holding that press conference. This is not about Raheem. And I certainly hope that the contract did not tell Raheem that it could go out and hold press conferences and seek to undermine the work of the Police Commissioners whose job it is to adopt a use of force policy.

Brenda Harbin-Forte:

So I'd really like to find out how this press conference today came about and under what authority Raheem thought it was acting, because that simply is not acceptable. It is not acceptable. It is unusual. And I mean... the audacity to hold a press conference and talk about findings as though the Police Commission should be bound by it. And also to suggest even tonight that the Police Commission, the ad hoc committee, had not taken those recommendations into account. Totally inappropriate, and Raheem has some explaining to do in my view, Madam Chair.



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- Regina Jackson: Thank you very much Commissioner Harbin-Forte. I see a hand up by Commissioner Harris. I'm not sure if she's going to respond to your query, but we will get back to it if she's not able to. Commissioner Harris, you have been unmuted.
- Ginale Harris: Thank you, Chair. I move that we adopt this policy.
- Brenda Harbin-Forte: I second. Harbin-Forte seconds.
- Regina Jackson: Okay, it has been moved and seconded. I saw another hand. Commissioner Smith, you have been unmuted.
- Thomas Lloyd Smith: Yeah, and so I'll keep it brief. I wanted to say I'm in support of the policy. I really want to thank Commissioner Harris, Commissioner Anderson, Commissioner Gage for all the work they've put in. I mean, it was a labor of love for them. They demonstrated incredible commitment. I'm so proud of everything that they have achieved. And this is not the end. We of course have more work to do, but I really think that the work that they've done has moved us to a better place. And so I just wanted to say thank you to them for all of their efforts.
- Regina Jackson: All right, thank you very much Commissioner Smith. Commissioner Harris, is your hand back up or did I not let it down? My apologies. Commissioner Harris? Commissioner Harris?
- Thomas Lloyd Smith: When she rejoins us, you might want to take her vote first because of her connection.
- Regina Jackson: Commissioner Harris, are you with us?
- Ginale Harris: Yes, I'm here.
- Regina Jackson: Okay. I'm sorry. I don't know if you had a comment for Commissioner Harbin-Forte, or a separate comment, or if I had neglected to put your hand down. I'm just not sure.
- Ginale Harris: No, Chair. That was just so I can make a motion.
- Regina Jackson: Okay. Thank you very much. I appreciate that. And I see a hand up again from Commissioner Harbin-Forte. You have been unmuted.
- Brenda Harbin-Forte: Thank you. Thank you, Chair. I take it that as part of the discussion, before we call the question on the motion, I would request that we get perhaps some explanation as to how this press conference came about. Or should we save that, Madam Chair, for another discussion or another time?
- Regina Jackson: Well, I think that's an important piece of information. I do not think it is germane to the vote.
- Brenda Harbin-Forte: Okay.



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- Regina Jackson: But we can do that. I note that this policy has been moved and properly seconded. I actually had a question of Commissioner Anderson or Gage, and I'm not sure who can address it. There was a community comment about handcuffing, and I just wanted to make sure. I thought that you all addressed that, but I don't remember where it is in the policy. So I would just like have that clarified before I vote.
- Tara Anderson: This is Commissioner Anderson through the Chair. I can respond to this in part, and then I'm hoping that we can get Commissioner Gage and Commissioner Harris can be a good backup to me on this one in particular. So in the document itself, we have handcuff references in three different areas. In the definition section there is a reference to handcuff under Restrained Persons. You see the reference to handcuffing again under Isolation and Containment. And the third area where you see it is relative to positioning and spatial awareness. So in here handcuffing is referenced as a tactical tool and the awareness that needs to take place in each of those sections. There is a separate policy on handcuffing. And so we have a matrix of all of the other Department General Orders and training bulletins that need to be amended associated with the K-3 that's before you this evening. And so that is the space where amendments as have been described by community would be best placed.
- Tara Anderson: And I guess I would open that again to Vice Chair Gage and Commissioner Harris and potentially anyone from the Department or the ad hoc more globally... if I have misspoken about the representation of our response to the feedback that we received around handcuffing.
- Regina Jackson: Thank you very much, Commissioner Anderson. So there is a separate handcuffing policy in addition to the mentions that are in this policy. Thank you. Commissioner Gage, and then Commissioner Smith.
- Henry Gage, III: Thank you, Chair. And thank you, Commissioner Anderson. One of the struggles with this policy is the number of associated training bulletins and DGOs that address discrete topics. It's difficult for even those of us who have spent so much time with this language to remember exactly where language is for any given issue. With respect to handcuffing, I believe Commissioner Anderson is correct. There is a separate DGO item. We have discussed and received a great volume of feedback on the language addressing necessary changes. For example, we discussed the need to demand that officers take particular care when interacting with what we have come to define as vulnerable populations.
- Henry Gage, III: The language that we have been evaluating, I should say, did not come into this draft policy because we believed it would be more appropriate for revision of the associated DGO. In our notes you'll find a great volume of that sort of work, where we have found language that we have liked, and that we have decided as an ad hoc that it's more appropriate to put that language in an associated training bulletin or in a separate DGO. Now, I should note that if this language is adopted, it will necessitate the revision of a great number of other policies, and that work will have to be done by another ad hoc. There's ample opportunity for that work to be completed, and ample opportunity for a substantive discussion on not just handcuffing, but the entire range of training bulletins and associated DGOs that have been referenced by members of the



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community in public comment, as well as by members of the ad hoc during our previous deliberations.

Regina Jackson: Thank you, Commissioner Gage. Commissioner Smith.

Thomas Lloyd Smith: So this is a quick and a minor edit, but under section 89, under Commitment to Medical Aid, there's a part that says "complains of injury." And I think it's "complaints of injury." Just an edit for whenever we get that after the policy.

Regina Jackson: I appreciate that. Commissioner Gage and then Dorado.

Ginale Harris: That is actually... is "complains" because we're not referring to a complaint of injury, we're referring to "if an individual complains."

Thomas Lloyd Smith: Ah, okay. My bad. Thanks.

Regina Jackson: Okay, excellent. Thank you. I do have a question. What was the thought process behind visiting some of the issues around the handcuffing in a training bulletin, as opposed to putting it in the Use of Force Policy? And is there a problem putting it in two places? I don't know, so I'm asking the question. And whomever wants to answer it, I'm happy to have that. Thank you, Commissioner Gage.

Henry Gage, III: Thank you, Chair. Speaking from a practical perspective, this is a 50-something page policy. I can't quite remember. The count has changed a number of times. It's long, and it doesn't even include reporting, which some of our earlier drafts we had attempted to include parts of DGO K-4 into the K-3. And we quickly realized that to do that was a disservice. It was a constant tension between how much language you add to K-4, how many other DGOs you incorporate into this one, versus what do you say, where do you draw the line.

Henry Gage, III: I think we're all open to discussion about whether that line needs to be drawn, whether a specific language should be added. Where we decided to draw the line was to identify and outline where there were other places that we felt that recommended language could go, and to try to the best of our ability not allow this policy to become overly burdensome when it comes to the length and the language. I'd like to think of this policy as an index. It's the first place an officer should go. It's the first place that someone should take a look if you have an idea of whether or not a use of force is within or outside policy. And as with any good index, it should send you to further resources if you have additional specific queries.

Regina Jackson: Thank you very much.

John Alden: Madam Chair, this is John Alden, if I might jump in there with one more add.

Regina Jackson: Yes, thank you.



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- John Alden: I think it's important to understand by way of forewarning the Commission as to the scope of the work involved here, but also by way of reassuring the public, Oakland Police Department already has a whole series of much more specific policies that delve into details around many of the issues you've heard about tonight from the public. So for example, there's a crowd control policy, a handcuffing policy, a police canine policy, a taser policy, a use of force reporting policy, and the list goes on. Each of those ultimately is controlled by this policy that the Commission is changing tonight. Kind of like, you might say this policy, this use of force policy, is the hub of a wheel, and all those other policies are like the spokes. I think Commissioner Gage's index analogy is a good one too.
- John Alden: So I think it's very clear from the work the ad hoc has done that the Commission will need to spend substantial time, probably over the next couple of years, going through each of those ancillary policies, each of those spokes, and altering them to conform to the principles outlined here in this general use of force policy. So this is going to be a big project. As Commissioner Anderson said, it's a milestone. It's the beginning. And I do think not only the Commission should expect to work on, but the public can rest assured that the Commission will take a look at, from what I've heard from Commissioners. These other ancillary policies will get into more details than this policy does. So it's a matter of process. It will take some time, but I do think the Commission has opportunity to get there.
- Regina Jackson: Thank you very much, Mr. Alden, and I appreciate Commissioner Dorado for his patience. You have been unmuted.
- Jose Dorado: Thank you, Chair Jackson. There was a comment made by the community that the ACLU version had in four different places a mention of a provision relating to race. And it seems to me that in A-5 we have a pretty clear declaration of how that should be addressed. But I wanted to hear from the ad hoc as to what their thinking was along the lines of addressing the all-important question of race in the formulation of this policy and why it's only mentioned in one location. Thank you.
- Regina Jackson: Thank you. Who would like to respond to that question?
- Tara Anderson: This is Commissioner Anderson. I was hoping that Commissioner Harris's connectivity was on because she's one who spoke to this so well and referenced it as a touchstone throughout our considerations of the document. And we supported, ultimately, her recommendations on this.
- Regina Jackson: Okay, Commissioner Harris, are you with us?
- Ginale Harris: Here, can you hear me?
- Regina Jackson: I can hear you. Thank you.
- Ginale Harris: Okay, I'm sorry. I didn't catch Commissioner Dorado's question. I'm sorry.
- Regina Jackson: That's okay. Commissioner Dorado, could you restate it please?





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- Jose Dorado: Yes. The question was that there was a community comment regarding race and how it's addressed in the policy, and the speaker mentioned the fact that the ACLU version had four references within their version addressing race. So it seemed to me that the A-5 made a pretty clear statement about that question, that all-important question of race, but wanted to hear from the ad hoc in terms of how is it that you... what was your thinking in terms of coming to the decision just mentioned in A-5.
- Ginale Harris: Well, the thought is that when we were going through the policy, we wanted to [inaudible 00:18:22].
- Regina Jackson: I think we're losing you Commissioner Harris. Commissioner Harris?
- Ginale Harris: I'm sorry. Can you hear me now?
- Regina Jackson: Yeah, but it's kind of being stretched out. If you could restate the last two sentences. Okay, or maybe not. I'm going to go to Commissioner Gage while we hopefully get Commissioner Harris back. Maybe he can provide some context. Commissioner Gage you've been unmuted.
- Henry Gage, III: Thank you, Chair. One of the struggles we came across when we were looking through recommended language was parsing the difference between language we felt was appropriate for a policy document and language that we felt was more aspirational in nature that might be more appropriate for, I suppose you could say, a press release or different kind of document. I'm losing the words here, but I hope you understand my meaning.
- Henry Gage, III: In addition to the language in A-5, there's also a provision in section C that I'd draw your attention to, Commissioner Dorado. That section, it's the deescalation section, the second paragraph discusses language we wanted to add to this policy because we came across some research that very clearly indicated to us that the police officers, not just in Oakland but nationwide, are quite capable of deescalation. But often the people who are granted the benefit of those deescalation skills are not black people. We wanted to speak to that directly. And we wanted to ensure that the Oakland Police Department made a very clear statement that in addition to ensuring that use of force occurred equitably, that officers apply their disengagement and deescalation skills equitably as well.
- Henry Gage, III: I can understand that this may not be the sort of, I suppose you could say, detailed treatise that I've seen in a number of the draft revisions that have been provided, but these two statements in combination with the entire policy [M-19 03:39:05] to us represented a reasonable statement of our intent as an ad hoc.
- Regina Jackson: Okay. So what I think I'm hearing is almost like a values. Is that fair or appropriate?
- Henry Gage, III: With the deescalation section, we felt it was important to call out and draw attention to the fact that when officers are considering whether to use force at all or whether to attempt deescalation,



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bad analysis is, in and of itself, effected by implicit bias and racial bias. That thinking is encapsulated in the second paragraph of section C.

- Regina Jackson: Okay, thank you. I have better appreciation now for just how complex this nine months has to have been, but really appreciate the depth and breadth of explanation and context because very, very difficult for those of us who have not been in the thick of it with you to follow some of the reasoning and to ensure that questions that are being asked by ourselves or by other folks are being addressed. So at this time, and I'm hoping... I don't know if Commissioner Harris can hear me here or whether you can call in on a landline since the internet seems to be so sketchy for you tonight.
- Ginale Harris: Can you hear me, Chair?
- Regina Jackson: I can hear you now. Yep. Thank you. So we had a motion on the floor. It was properly seconded. We had lots of questions and lots of answers. And at this point, I know that we've already taken public comments, and I guess I have to call for the vote at this point. So Commissioner Gage?
- Henry Gage, III: Yes.
- Regina Jackson: Okay. Thank you. Commissioner Anderson?
- Tara Anderson: Aye.
- Regina Jackson: Thank you. Commissioner Dorado?
- Jose Dorado: Aye.
- Regina Jackson: Sorry, I'm having to scroll down this whole thing. Commissioner Harbin-Forte?
- Brenda Harbin-Forte: Aye.
- Regina Jackson: Thank you. Commissioner Harris?
- Ginale Harris: Aye.
- Regina Jackson: Thank you. Aye for myself. Commissioner Smith?
- Thomas Lloyd Smith: Yes.
- Regina Jackson: Thank you. This policy passes unanimously. Again, our express appreciation to the ad hoc of Commissioners Harris, Anderson and Gage. It does bear mentioning that we will need to prioritize some of the very important separate policies, things like handcuffing and probably tasers, in order to ensure that as this one policy is bringing forward, that the additional supports and prioritizations of approach are also lifted. So clearly much more work ahead, but excellent effort.



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So at this point, I think we can move forward to the next agenda item. So this is the CPRA reorganization, Inspector General. I believe that Mr. Alden, are you going to lead reporting on that?

John Alden: Yes, Madam Chair, I will. This will be quite brief. I was thinking I might have a longer report here, but fortunately given the hour, this is going to be pretty quick. It is still my understanding from the Commission that the Commission still intends to move forward on creating the Chief of Staff position that we spoke about in our open session on July 9th. And so we are still working on that, and also then as a separate second stage working on staff for the Commission also as the Commission directed on the 9th. So unless and until the Commission has some different direction, we continue to work on creating those two positions. I want to thank the City Administrator's Office, the folks at Budget and Finance, and Human Resources on working with us on this.

John Alden: I do expect that we'll have another meet and confer session between now and our next Commission meeting, and that I'll have an update for you then which would likely be a closed session updating you on the meet and confer status. I actually should say I want to appreciate the folks at Local 21 in the course of the meet and confer process. It wouldn't be appropriate for me to share the details about how that's gone here, but I do think it's worth thanking them for their continued work on this with us. So the bottom line here is that I would like for this item to go over to our next meeting on the 22nd. And I expect at that point, we'd probably have a closed session item about this.

Regina Jackson: Okay. Thank you very much, Mr. Alden. Do we have any questions from the Commissioners? Okay, I'm seeing none. Can we go to public comment please?

John Alden: Certainly we can. I will switch over to the attendee list. If there's anyone...

Regina Jackson: Yeah, I'm sorry. You're doing double work tonight,

John Alden: Not a problem. If there are any members of the public that wanted to comment on this particular item, raise your hand now and we'll call upon you. I will switch our screen over to our timer for that purpose. Here we go. So far I see only one attendee in the queue, which is Ms. Grinage, who I think had her hand up earlier. Ms. Grinage, I'm going to unmute you so you may speak if in fact you wanted to speak to this item, but I think you're still muted on your end. And Ms. Olugbala has queued up as well. Ms. Grinage, when you're ready.

Rashidah Grinage: Yeah, it was in error.

John Alden: Okay. Well, if it's all right with you then, I'll lower your hand and move to the next speaker.

Rashidah Grinage: Yep.



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- John Alden: Thank you so much. Now we had had Ms. Olugbala raise her hand, but it looks like it's down now. So unless I see someone else raise their hand in the next moment or two, I think we have no public comment on this item, Madam Chair.
- Regina Jackson: Okay.
- John Alden: I will switch the screen, Chair, back to our agenda.
- Regina Jackson: Okay. Very good. Thank you.
- John Alden: Of course. And unless there's anything else on the Commissioners, I think we can move to the next item.
- Regina Jackson: Yes, please. Commission retreat. So one of the things that is very important and I still don't have a third proposal yet. So I'm hoping that be able to bring that back next week. I mean, excuse me, at our next meeting, I had not yet had a chance to go to the World Trust, which was Commissioner Dorado's recommendation. So I plan to make a reach out tomorrow and hopefully we can get that moving forward. But I would like for the Commission to at least approve the budget so that we can move forward. You know, sometimes we can do it all at once. Sometimes we're doing it in pieces.
- Regina Jackson: I know at the last meeting, we actually approved an agenda. And so if there is any question on the importance, I will state again that the primary agenda is to be able to respond in full to all of the questions or recommendations that the City Auditor came up with, and I just want to make sure that we can move forward. I'm happy to answer any other questions. If there are no questions, can someone make a... Oh, here we go. Commissioner Gage, you're unmuted.
- Henry Gage, III: Thank you, Chair. Did you mention a draft budget? I wasn't sure if I'd missed that.
- Regina Jackson: You didn't miss it. The last time we had a Commission retreat, the budget was not to exceed \$11,000. So we didn't have a floor, but we had a not to exceed. I feel like since we're going to be in the land of virtuality that we are likely to perhaps get it cheaper. We won't have to rent a space and all of that. So as long as we can do a not to exceed, I think that we have some flexibility. Obviously I would bring the proposals forward and we can make a decision at that point on who's going to facilitate based upon their proposal. Is that sufficient for you?
- Henry Gage, III: Thank you. Do you have a dollar amount in mind as a not to exceed number?
- Regina Jackson: I would say the same 11,000. I mean we might be able to do it for eight, but I don't know. So I'd rather create a ceiling so that we can just at least move forward. Because I'm not sure, sometimes the virtual... I don't know that we would have any production costs. Sometimes virtual events actually are as expensive as in-person ones. I don't necessarily think it should be, but like I said, rather than creating a floor, I'd rather create a ceiling based upon what we've spent before.



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- Henry Gage, III: Thank you. I appreciate the explanation, and the plan makes sense.
- Regina Jackson: Okay. Thank you. Commissioner Harbin-Forte, your hand is...
- Brenda Harbin-Forte: Did Commissioner Gage offer to make the motion to approve a budget not to exceed 11,000, if it's not...
- Regina Jackson: Actually, he didn't. He just said it made sense, so.
- Brenda Harbin-Forte: Oh, okay. Then I'll make the motion for us to hold the retreat and the budget not to exceed \$11,000.
- Regina Jackson: Okay. Thank you. Is there a second? Commissioner Dorado?
- Jose Dorado: I'll second the motion.
- Regina Jackson: Thank you. It has been moved and properly seconded. Why don't we go to public comment, please? And then we will come back and take a vote.
- John Alden: Okay. Very good. So if there are any members of the public who would like to speak, now is the time to raise your hand in the queue. Prepare our clock. All right. It appears we only have one person in the queue and that would be Bruce Schmiechen. Mr. Schmiechen, go ahead. You're unmuted
- Bruce Schmiechen: And you can hear me? Okay. Well, I look forward to this retreat. There's going to be a lot of new commissioners and clearly a lot of work ahead based on the discussion around use of force. And one of the questions I would like commissioners to address at the retreat, among themselves, in preparation for this, is whether or not as Chief Manheimer said explicitly, training manuals are not public documents because that will inform the commission to find that out in planning their work at this retreat, forthcoming on use of force and other important issues, whether or not we now have a use of force policy that refers consistently to OPB manuals and documents, which are not available to the public. So thank you. That would be a really great one place to start in terms of clarifying for future work. Thank you.
- John Alden: Thank you, Mr. Schmiechen. Madam Chair, I believe we've exhausted speaker queue for this item.
- Regina Jackson: Excellent. Thank you very much. And Bruce's point is a good one. So we'll do some digging on that. Now that we have a motion that's been properly seconded. We've taken public comment. Can we vote, please? Commissioner Gage?
- Henry Gage, III: Yes.
- Regina Jackson: Thank you. Commissioner Anderson?



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Tara Anderson: Aye.

Regina Jackson: Thank you. Commissioner Dorado?

Jose Dorado: Aye.

Regina Jackson: Thank you. Commissioner Harbin-Forte?

Brenda Harbin-Forte: Aye.

Regina Jackson: Thank you. Commissioner Harris?

Ginale Harris: Aye.

Regina Jackson: Thank you. Aye for myself. Commissioner Smith?

Thomas Lloyd Smith: Aye.

Regina Jackson: Excellent. And we have approved the retreat unanimously. It is 10:23. I'd like to get a motion to extend our meeting as we have a couple more very important items to go through. Commissioner Harbin-Forte?

Brenda Harbin-Forte: Yeah. So I'll make a motion to extend the meeting for an hour. Actually, we'll let for an hour from 10:30.

Regina Jackson: Okay. So...

Brenda Harbin-Forte: So it's been extended to 11:30.

Regina Jackson: ... Okay. Very good. Is there a second?

Jose Dorado: Second?

Regina Jackson: Thank you. It has been motion by Commissioner Harbin-Forte. Seconded by Commissioner Dorado. We've already taken... Yes. Okay. So we should be able to vote on extending the meeting. Commissioner Gage?

Henry Gage, III: Yes.

Regina Jackson: Thank you. Commissioner Anderson?

Tara Anderson: Aye.





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- Regina Jackson: Thank you. Commissioner Dorado?
- Jose Dorado: Aye.
- Regina Jackson: Thank you. Commissioner Harbin-Forte?
- Brenda Harbin-Forte: Aye.
- Regina Jackson: Thank you. Commissioner Harris?
- Ginale Harris: Aye.
- Regina Jackson: Thank you. Aye for myself. Commissioner Smith?
- Thomas Lloyd Smith: Yes.
- Regina Jackson: Thank you very much. So motion is unanimous. Our meeting will be extended to 11:30 and hopefully we won't have to stay until 11:30, but I appreciate not extending in 30 minute increments. So can you advance the agenda, please, Mr. Alden? The slide. Thank you. So... I'm sorry. Commissioner Anderson, you have a hand up?
- Tara Anderson: I'm fine. Thank you.
- Regina Jackson: Oh, okay. Thank you. So I have not been looking forward to this item on the agenda for many reasons, but the entities that the people that we're celebrating for their dynamic contributions or that recognizing, it's extremely important that we do so, and I'd like to take a moment to speak to Commissioner Harris first. She has... She's a part of the original magnificent seven. This is a three-year term. She's been a champion for the community and a warrior.
- Regina Jackson: She was extremely important to me and services vice chair and led some incredibly difficult and time ingrained work, particularly on the personnel committee. My hope is, and we've had conversations, that you will stay engaged and serve on ad hoc so that we can continue to benefit from your capacity and your passion. For Commissioner Anderson, your time with us has been short comparatively speaking, but nonetheless powerful, not any less powerful. Your eloquence and your expertise in terms of policy has been so very much appreciated and helping us to identify a lane, particularly around how our work might compliment statewide initiatives or bringing to our attention what's going on in the state for us to acknowledge and/or compliment was exceedingly important. Your representation of the commission to city council for policies have been so impressive. I've just... I've really enjoyed working with you as well on the personnel committee.
- Regina Jackson: And I forgot to mention both your leadership, yours as well as Commissioner Harris, with the use of force and other ad hocs has just been outstanding. I've worked less with alternate Commissioner Chris Brown. And I think we're just beginning to understand how to make sure that



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the alternates are able to contribute in substantial ways since you're not able to vote. And so this transition marks a... I mean, we're losing almost half of our people and, it's a challenge because we're going to miss the capacity that you bring to the commission in terms of our regular meetings and the other meetings that we have. I could go on, but I shouldn't, because I know that there are other commissioners that want to say something, but I wanted to be first just because... Yeah, just because the point of privilege of the chair. I'm hoping that you will all stay engaged. I will continue to say that because your value is exponential. Is there any other commissioner that... Okay, Thomas Smith, you are unmuted.

Thomas Lloyd Smith: Wow. I cannot... This is... I'm at a loss for words that we're actually at this place where yeah, the time is up on Commissioner Harris, Commissioner Anderson, and Commissioner Jackson. Wow. I'll start with Commissioner Harris because we came in together, had the same three-year term and, Commissioner Harris has brought the passion, the fire, and she's been all in from the beginning and you know what, she calls it like she sees it. You may not always agree with her. You may come to points where you're back and forth, and there's a whole lot of action and excitement going on. You may have all that drama, but at the end of the day, the thing that you always know about Commissioner Harris is that she's all in. She loves Oakland. She loves her people and she's down for them.

Thomas Lloyd Smith: So do whatever it takes. And so I can't put it all into words. I'm quite sure that we'll be staying in touch. And I just want to thank her for everything that she's done in terms of putting all of her effort into this, putting all of her heart into this, and really being the warrior for her constituents and really just laying it all on the line and not being scared to speak her truth and being courageous in that way. I mean, she's an incredibly courageous person and Commissioner Anderson, she brings the same courage. She's strong enough to withstand any criticism that comes her way and still speak her mind, speak what she believes. She's wicked smart around policy and all of those things that have to do with actually thinking about the strategy of things as well.

Thomas Lloyd Smith: And it's been a pleasure to listen to her. To think about how she thinks about issues and for the commission to be able to benefit from her expertise. So I just really enjoyed serving with her and I'm so happy she stepped into the position. And then I do... I feel for Commissioner Jackson, I mean, I think he's been steady in his role. And I do think, I agree with the Chair that it is always, in the alternate function, a challenge to figure out how to get people involved, but he's had his moments where he's gotten to speak up. He was willing to serve at a time when things were pretty rocky and I know that it is best in all instances to answer the call of duty. So I just want to say thank you to all of them. It's been a pleasure serving with you guys, and I'm sure we'll stay in touch.

Regina Jackson: Thank you, Commissioner Smith. This is not necessarily a round robin. Everybody doesn't have to speak, but I want to make sure that you have the opportunity to do so should you want to. Commissioner Gage, followed by Dorado and Harbin-Forte.



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- Henry Gage, III: Thank you, Chair. To Commissioners Anderson, Brown and Harris, thank you. We are living in interesting times and we are living in challenging times. We're living in times where no one would fault anyone on this commission for withdrawing from public life, for focusing their time and attention and resources on their families and those you hold close. I am grateful that you didn't do that. That you dedicated yourselves to public service. That you devoted your time and attention to the issues that challenge this city. Thank you for your service. I wish you the best and I sincerely hope we will remain engaged.
- Regina Jackson: Thank you. Commissioner Dorado.
- Jose Dorado: Thank you, Chair Jackson. To Commissioner Brown, your insights from the CPRB were more valuable than you know, and I truly hope that you stay engaged because we do need your perspective in a number of ways, particularly historically. To Commissioner Tara Anderson, you have stepped up and represented the police commission admirably in a number of occasions. And I really appreciate your intelligence, your expertise, and your working us in terms of policy. And, let me advise you, you keep your outrage, keep it going. It's needed. I hope you stay with us and bring us some of that outrage expertise and intelligence on a regular basis.
- Jose Dorado: And last, certainly but not least, Commissioner Ginale Harris. I'm just going to repeat, briefly, what I said to the selection committee. And that is that Ginale Harris is the heart, soul and the conscience of our commission. No one has worked harder and with more passion than Ginale Harris. And it's a huge mistake on the part of the selection panel not to have reappointed her. Nothing less than a travesty, and it was a plot to move her out, but as they say, what goes around, comes around. So we're going to miss you dearly. And I just wanted to say humbly, that I would like to continue your legacy in the areas of the Bandabaila case, the Bey case, and the OBLA letter. Three issues that you took and ran with with such fervor. And I'd be honored to continue that work. Thank you.
- Regina Jackson: Thank you, Commissioner Dorado. Commissioner Harbin-Forte and then Anderson.
- Brenda Harbin-Forte: All right. Thank you, Chair. I'm new to the commission. I started in July and I just want to say to Commissioners Anderson, Brown and Harris that you have inspired me. You have shown me compassion. You've shown courage and particularly Ginale Harris and Tara Anderson. I think I worked with you more in terms of various activities and discussions, but I just want to say that it's been a real pleasure working with you and that I do wish you the best. And thank you for teaching me how important this commission is and how important it is to stand up and to speak out and to particularly be a voice for the citizens of Oakland. Thank you. Thank you for your work and best of luck to you.
- Regina Jackson: Thank you. Commissioner Anderson.
- Tara Anderson: Thank you. Thank you to my fellow commissioners for your kind inspiring words. I think back to when I applied to serve on the commission and I submitted my application, I was very pregnant, and I actually went into labor two hours later. So every time I look at my son, who's just over



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three years old, I have the timetable of this amazing police commission, which I got to see from the stands prior to just joining just two years ago. And I want to pause and share gratitude with my family through my son, my daughter, my amazing husband. I love you. And without you and your support and sacrifice, I would not have been able to serve. And I know this is true for so many people having that support system. I remember one week my husband was away for work and I paid hundreds of dollars for childcare in order to engage in police commission activities.

Tara Anderson: To my fellow commissioners, former and current representing over 200 years of professional expertise and life experience, thank you for teaching me, trusting me, collaborating with me and inspiring me. I knew I would grow, but I didn't expect to gain the friendships that I have and people really don't understand, even when they see us debate each other, and the drama, how much we really are there for each other behind the scenes and doing so at 10 30 hours, plus additional to that our 40 hour plus jobs that we're doing, many in public service already. And thank you to the department, especially for the hard, long work we've done collaborating on the use of force policy. I am who I am tonight, that's who I've been all along, speaking truth, asserting high expectations, making tough decisions that are right for Oakland.

Tara Anderson: I just want to close by saying a couple of things that I'm particularly proud of. The parole search policy, use of force reporting policy, voting unanimously with the commission joined by the mayor to remove the former chief and recommending the hiring of Director Alden, who has served us so well. So just thank you for your kind words, and I will continue to join the conversations, be wonky where you want me to, and please do call upon me. And I am so grateful that Ginale will have the last word.

Regina Jackson: Very good. Thank you. Commissioner Brown. Commissioner Brown, you've been unmuted.

Thomas Brown: Hi. Can you hear me?

Regina Jackson: Yes.

Thomas Brown: Perfect. Thank you. I'll be very brief. I wanted to thank everybody for their kind words. I really appreciate the recognition. And I want to say what an amazing honor it's been to work with such a uniformly talented and dedicated group of people. I've never worked for the group that has put in more work and better work than this group has, and so thank you very much. That's it.

Regina Jackson: Thank you very much. Mr. Alden.

John Alden: I'll try to be really brief, but I agree with all the comments and accolades I've heard earlier, so rather than repeat them, I'll add something from my perspective. I am finding this is a really sad meeting for me because this commission is going to be really different in a little bit. And I'm looking forward to working with those new commissioners, but I'm going to be sad to lose all these commissioners, because this is how I got started here. You guys hired me and I am tremendously grateful that you all trusted me with such a significant responsibility. The scale and the scope of the work is humbling, but watching how you all have moved through the challenges



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you have is also really inspiring. So far, this has been the most amazing professional experience I've had yet. And I'm really grateful that you all trusted me with it, and that you gave me this opportunity to serve in a way that is so thrilling for me. So I'm going to especially miss you guys because of that. And so again, thank you and please stay in touch. I'm going to miss you guys.

Regina Jackson: Thank you very much, Mr. Alden. I don't see any more hands. I'm not sure if Commissioner Harris is able to hear.

Ginale Harris: I'm here.

Regina Jackson: [inaudible 04:13:30].

Ginale Harris: I'm here, Chair.

Regina Jackson: Okay. Are you... Did you want to say anything? I didn't want to go to public comment without asking.

Ginale Harris: Sure. I just want to say to my fellow commissioners it's been a ride and thank you. I've been challenged in every kind of way. However, I'm walking out of this thing with my head high and with my integrity intact. So I just want to say thank you for everything. All that you've taught me. All that I've learned. Again, I don't do politics, but I've learned a tremendous amount of politics being on this commission. I especially want to thank the Bandabaila family and the Bey family for trusting me and allowing me to serve you in the community.

Ginale Harris: I am not gone forever. I will still continue to fight and continue to make sure that we get to the bottom of the things we need to. I made a commitment in regards to finding Jonathan. And I'm so happy that my colleague stepped up to extend what I was doing. I will also be there to help. I made a commitment and I plan on fulfilling that to the Bandabaila family and to the Beys. So with that said, I just want to say thank you for loving Oakland and thank you for allowing me to serve you. Thank you, Chair.

Regina Jackson: Thank you. And just to add on to that, you did say that you would serve on the ad hoc for missing persons? You would continue, right?

Ginale Harris: Yes ma'am, I will.

Regina Jackson: Okay. And then we... So I'm glad that we're going to continue to benefit from your partnership, your support and your passion. Thank you very much. And, yeah, this is super sad. And we'll go to public comment now. Mr. Alden.

John Alden: Absolutely. So for those members of the public, who wish to comment on this item, please raise your hand now. We'll switch our screen to our timer. We have a series of callers from phone numbers, and I'm endeavor to do a better job of keeping track of the phone numbers this time. Our first speaker appears to be from a phone number ending with 1574. Person at 1574, you are



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unmuted. Go ahead and speak when you're ready. It does appear you're muted on your end. There you go.

Cathy Leonard: Good evening. This is Cathy Leonard, Oakland Neighborhoods for Equity. Black woman in district one. Oakland born. From day one, Commissioner Ginale Harris said truth to power, and she has spoke the truth to power at every single meeting. Even though she was attacked by OPD, City Hall, and had to endure unfounded investigations, she still rose to the occasion and came out on top.

Cathy Leonard: Thank you Commissioner Harris for your dedicated service to the black community. You didn't wait until the end of your tenure to try to seek accolades from everybody else on the commission and the public. You did your job in what you were supposed to do. Thank you. Everybody else needs to look up to you and fill in the gap that you're leaving on the police commission. I hope somebody steps up and speaks the truth to power on behalf of black people who have been murdered by the police department and their [inaudible 04:17:48].

John Alden: I'm so sorry, Ms. Leonard, but you're out of time. Thank you for your comments. We will now move to our next speaker, who is from a number ending in 0185. 0185, you are unmuted.

Michele Lazaneo: Michele Lazaneo.

John Alden: [crosstalk 04:18:09].

Michele Lazaneo: I'm going to... Hi. I'm going to ask you to give us the amount of time that you give the commissioners to speak about these people that we will never be able to speak about again. So Commissioner Ginale Harris served for three years on this commission. At every meeting she held OPD accountable. When former Chief Kirkpatrick and other members of OPD refused to answer important questions about BearCat deployment, the Bey case, stopped data or allegation by the OBOA of racism. When OPD arrives at commission meetings, ill-prepared without requested documentation, reports or proof, Commissioner Harris spoke up and asked difficult questions. She would not be silent and demanded answers. She gave Jonathan Bandabaila a voice. It's been 524 days since Jonathan Bandabaila suspiciously disappeared. His 21st birthday is October 19th.

Michele Lazaneo: With Commissioner Harris as our liaison and advocate, we facilitated five meetings with OPD, two press conferences and community outreach. Without her Jonathan would have long been forgotten. She didn't stand down or stand by. She speaks up for the many voices openers who don't know how to navigate this...

John Alden: So sorry to interrupt you, Ms. Asdernaro. That is normally the end of your time. You've asked for some more time. Let me check in with the Chair and see how much time the commission would like to give people if it's going to be more than a minute [inaudible 00:04:19:24].

Regina Jackson: That's fine. That was totally my mist. It was an excellent recommendation. So just let them talk. We can put up two minutes...





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John Alden: Okay.

Regina Jackson: ... and hopefully you know. Thank you.

John Alden: Very well.

Regina Jackson: So let Michelle go ahead.

John Alden: Ms. Lazaneo, you should be unmuted on this end. Go ahead and keep talking if you'd like.

Michele Lazaneo: Thank you.

John Alden: You only have a minute here.

Michele Lazaneo: She didn't stand down or stand by. She speaks up for the many voiceless Oaklanders who don't know how to navigate this complicated system. Her voice is needed and will be greatly missed. Thank you, Commissioner Harris for your courage for empowering Jonathan's family and for empowering this community. We will miss you.

John Alden: Thank you so much for your comments. Our next speaker in the queue is Joseph [Mente 00:29:23]. Joseph, give me just a moment to reset the clock for two minutes and as a guide to how long others have spoken. Joseph Mente, you are unmuted. Go ahead at your convenience.

Joseph Mente: Can you hear me?

John Alden: Yes, we can. Go ahead.

Joseph Mente: I just wanted to say that I really appreciate Commissioners Harris and Anderson. I'm in awe of your contributions and I look forward to seeing more impact from both of you. Thank you.

John Alden: Thank you so much. Our next speaker in the queue is Kevin Cantu. Kevin Cantu, you're unmuted. Go ahead.

Kevin Cantu: I too would like to thank our outgoing commissioners for their service. Thank you for standing for the truth and asking the hard questions. And I hope that the commission can do things to bring our new commissioners, as they come on board, up to speed because this is important work. Thank you very much and cheers.

John Alden: Thank you, Kevin Kento. Our next speaker in the queue is Megan [Steffen 00:31:03]. Megan, you are unmuted. Go ahead.

Megan Steffen: Hi. Thank you so much. I just wanted to say thank you to Commissioner Anderson, alternate Commissioner Brown, and to Commissioner Harris. I watched every minute of those selection panel interviews, and I still can't believe what happened. I'm still emailing about it. I really wish



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that you were continuing to be a commissioner. I've been so impressed with the level of experience that you bring, your generosity in talking about your experiences. Your willingness to disagree in a city government that seems to really just fly by on thinking that getting something done means voting unanimously on something. This is so sad. I just, I really respect your courage, your integrity, your willingness to be transparent and say things that are inconvenient. And honestly, I think no one has given up more or been attacked more than you because of their work on this commission. And I just really respect you for not only going through what you did, but still trying to serve again. Thank you so much, Commissioner Harris, and I will see you in the public comment queues. Thank you.

John Alden: Thank you, Ms. Steffen. I should mention that since we have extended time after Cathy Leonard spoke, so Ms. Leonard, if you're out there and listening and you'd like to get back in the queue, please feel free to do so. And we can call on you again. Our next speaker in the queue is Assata Olugbala. Ms. Olugbala, you are unmuted.

Assata Olugbala: Yes, thank you. Here we go, again. Another black woman pushed out because of her strength. Deslie Brooks, from the city council, pushed out. Michelle Bird, for the city of Oakland's administrative capacity, pushed out. Makisha Smith, city administrator, assistant city administrator, pushed out. Strong black woman. Aisha Singleton, black mother killed. Four months. Nothing done. Nothing done for four months. Just like Breonna Taylor, Sandra Bland, black women are victimized and nothing is done.

Assata Olugbala: The victimization of Miss. Harris is unacceptable. Regina Jackson, you could have did something. You knew what was going on. You said nothing. Jose Dorado, you spoke at the selection committee, but you needed to do more. It wasn't enough. The rest of you that remained silent, when you have been told that there was a plot by the coalition for police accountability, and it's insulting Cathy [inaudible 04:25:23] for you to now come up and speak and give accolades to Miss. Harris. This is unacceptable! It's deplorable, and a disgrace that another black woman is being pushed out when she deserves to be in place.

Assata Olugbala: This commission gets no respect. I told my children, "I will stand by you as long as you do right, but if you do wrong, I will never stand by you." And I tell this commission. I will never stand with you. I will do everything I can to expose you. Everything I can to expose you because what happened to Miss. Harris was wrong! And you are cowards for not standing up for her.

John Alden: Thank you, Miss.Olugbala.

John Alden: Our next speaker in the queue is Reisa J. You're unmuted, go ahead.

Reisa Jaffe: I want to thank all the commissioners. This is an amazingly difficult volunteer job that I don't know why anybody agrees to take on. I especially want to thank Commissioner Harris. Like others have said before, I'm horrified that she's leaving, and the way that she was pushed out. I kept thinking that somewhere along the line it would get fixed, but clearly today is an indication it did not. I'm disappointed in other members of the commission for not standing with her, and to be standing



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here today and saying all these things and asking her to serve with you on ad hoc, that just sounds disingenuous to me. Where was the support in making sure that she stood with you on [inaudible 04:27:18]

Reisa Jaffe: I hope that this will never happen again. Tone policing should not be happening. What's the purpose of the police commission, as to address the wrongs in OPD, but if the selection panel and the way the commission is happening does not illustrate the values we expect out of OPD, then what can we expect going forward? So I hope this will never happen again to another black woman who shows her legitimate anger feelings. Thank you.

John Alden: Thank you, [inaudible 04:27:59] Our next speaker in the queue is Rashida Grinage. Miss. Grinage, you are unmuted.

Rashidah Grinage: Thank you. I know that there will be some people who will believe that what I'm about to say is not sincere. People can judge, and they will, but I will say that there is no question that the commission and the community of Oakland owes these outgoing commissioners a real debt of gratitude. There is no question that they have sacrificed, they have worked hard. They have done their utmost to address the systemic racism in the police department, and we owe them a huge debt of gratitude for this service that they have rendered. That goes for all of the outgoing commissioners.

Rashidah Grinage: Miss. Harris, there is no question, has devoted herself tirelessly for these three years for working on behalf of the community that she serves. And there is no question about the value that she has brought to this work and her integrity. I want to thank the outgoing commissioners for all that you have sacrificed. For all that you have contributed, and for the excellence of your work. Thank you very much.

John Alden: Thank you, Miss. Grinage. Our next speaker in the queue is I believe this is Miss. Leonard, again. I'm glad you got back in. Let me unmute you. There you go. You're unmuted.

Cathy Leonard: Thank you. I'll say again, that Commissioner Harris did not wait until her tenure to be outraged. She was outraged at every meeting, and she said so. Commissioner Harris is brave. The lie is that I or the coalition for police accountability was ever against Janelle Harris. It is a lie! To keep repeating the lie does not make it the truth. I have always been in support of Commissioner Harris, and that is the truth.

Cathy Leonard: The coalition never, never plotted to get her off of the police commission. We have no influence over the selection panel, the people on the selection panel, nobody on the selection panel is on the steering committee of the coalition for police accountability. And if people had bothered to attend our meetings, they would know that. Commissioner Harris, you are a treasure. A jewel, and I just hope that someone stands up and replaces you with a fervor for our community that you did. Thank you. I'll see you in the community.



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- John Alden: Thank you, Miss. Leonard. Our next speaker in the queue is Terri McWilliams. Terri McWilliams, you are unmuted. Go ahead.
- Terri McWilliams: Thank you. I just wanted to say, I'm born and raised in Oakland. Been black all my life, born in Oakland. I understand and thank all the commissioners who are leaving for their service, especially want to thank Commissioner Harris. I've lived and worked in this city most of my life, as well as participated in a lot of things. I'm also a member of the coalition for police accountability [inaudible 04:32:07] and although I don't know her personally, and I might not always agree with all that's been said, but again as she had said earlier, I think it's important that you can still move forward and agree to disagree.
- Terri McWilliams: Also want to echo what Cathy Leonard said. As a member of the coalition for police accountability, I, personally, or no others who I know, ever would say you were not on the commission. I think you have done an excellent job. You have said from the beginning that you even left a job because you were passionate about the work you've done, and you have stayed the course, and I hold you in high respects and regards for that. I hope that also once you're back in the community, that you would take a second look at the cease fire program. I am the coordinator and I am out there on Friday nights.
- Terri McWilliams: I may not be everywhere where people might want us to be. We haven't been out there for a while because of COVID, but I've been walking in the community every Friday for four a half years. Hopefully, I hope to see you in the community, and maybe you'll join us on a cease fire walk because I am passionate about that work too, and I wish all the commissioners good luck in their next endeavor. Thank you.
- John Alden: Thank you, Terry. Our next speaker in the queue is Mariano Contreras. Sir, you are unmuted.
- Mariano Contreras: To commissioners, Tara Anderson, Chris Brown and Janelle Harris, your voluntary service is and will always be appreciated. For many of us, police oversight used to be nothing but a wish. You three, as members of the police commission, have made police accountability a reality for a lot of us. Yes, we make passionate public comments because we hold ourselves to account, but at the end of the day, we are not our enemies.
- Mariano Contreras: Once again, Commissioner Tara Anderson, Commissioner Chris Brown and Commissioner Janelle Harris, thank you very much.
- John Alden: Thank you, sir. Our last speaker in the queue, listed as Anne. I think that's Anne Janks. Please go ahead, you're unmuted.
- Anne Janks: Why yes, John Alden, it is Anne Janks. I wanted to thank Tara Anderson and Janelle Harris for their work because much of their work was not in coordination with OPD, and I appreciate that. It's important to look back over more than tonight. But I wanted to spend a minute to thank Chris Brown because I think that the alternate commissioners, who serve a very important function and also do a lot of additional work behind the scenes, sometimes get overlooked because they don't



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get to vote. Which I'm sure is tremendously frustrating. Chris Brown was the first person who was really excited about the idea of macro, about replacing police response with a community response. [inaudible 04:35:56] in emergency calls.

Anne Janks: I had a lot of really interesting and really fun conversations with him about mental health and community responses and emergency responses. Since the alternates are always kind of the red headed step children, I thought I'd take a moment to thank him, specifically. That's it. Thank you.

John Alden: Thank you. Madame Chair, those are all of our speakers in the queue [inaudible 04:36:37]

Regina Jackson: Thank you very much. Can you advance the screen for us, please?

John Alden: Absolutely. Just one more moment. There we go. Our next agenda item is up.

Regina Jackson: Thank you. There were several commissioners that were, uh oh. You went backwards. Thank you. There were several commissioners that were able to attend the concurrent meeting of the Oakland City Council Community Policing Advisory Board, public safety and services oversight commission, along with our commissioners. I'm not sure, I did provide a verbal report as was requested, but I'm not sure if there are any commissioners that would like to provide insights over your experience with the meeting. I'm not quite sure, other than coordinating our information, what the ultimate outcomes from the meeting is, but because we never meet together, I think it is important to hear about the various accomplishments that we've had over the year.

Regina Jackson: Did anybody else want to make a comment? Did I see Commissioner Smith?

Thomas Lloyd Smith: I did. I attended the meeting. I do agree that, I think that the greatest thing that we received from the individual meeting, besides the information that we got was an opportunity to hear the voices of everyone together at the same time. Janelle made a very good speech at the meeting, referencing her experience in East Oakland. At the same point, we got to hear the council members and others who lived in the same district, be able to share their perspective on policing and where we're going and what the actual needs of the community are.

Thomas Lloyd Smith: But it was a meeting that was more so focused around receiving information, and I think the most important function of it was to actually put all of the voices together at one table that are speaking to policing in Oakland, and then also getting the opportunity to begin to think how we can align and unify our actions to be more effective. That's my take on the meeting.

Regina Jackson: Thank you very much. Commissioner Dorado, followed by Anderson.

Jose Dorado: Thank you for that. And just briefly, I wasn't able to make the meeting, but as Commissioner Smith was saying, it is a real opportunity to establish some lines of communication on a regular basis because in many cases there is overlap in our perspectives, and it would behoof us to bring our entities together, our groups together, our commissions together and see how we can collaborate. Particularly now that we have a... I'm really pleased at the new chair of the CPAB. I



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think the new chair will take the CPAB in a much more assertive direction, which is something that had been lacking.

Jose Dorado: I believe that the SSOC also has a new chair that I'm going to try and get in touch with because we still have the remnants of a taskforce consisting of members of the three, that is the police commission, the safety and services oversight commission and the community policing advisory board, that I'd still like to see revived and move forward. Especially now, in these exciting times so I'll just leave it at that. And should I be able to move that effort forward, I'll report back. Thank you.

Regina Jackson: Excellent. Thank you very much. Commissioner Anderson.

Tara Anderson: Thank you. And I want to thank the commissioners who are able to be a part of the joint meeting, and I had a family engagement, and then we had a use of force meeting afterwards so I know Janelle was able to do both, but unfortunately I was not. Because of questions that have come up, relative to cease fire, and other areas of concern, as they relate to violence and power, trying to infuse the policy change making that we're engaging in to other areas of this city. I was curious whether or not any offering has been made to have Chief Sespedis come and engage in the commission in a particular way. That's in form of a presentation or what the body may think is appropriate, but given how much cease fire has come up in the last several meetings, how much we're hearing about the nature of gun violence, and the resources that the department is devoting towards addressing gun violence as reported by the interim chief during those updates, I think it would be great to hear that perspective as well.

Tara Anderson: Just curious if that was explored?

Regina Jackson: Actually I'm glad you asked the question. Chief Cespedes and I set an appointment two weeks ago, and he was leaving town, and it's actually for tomorrow. My hope is that he will be able to make a presentation, either at the next meeting or the meeting immediately after so thank you for asking the question.

Thomas Lloyd Smith: And Sarah Jackson, I was just going to remind you that we did have a cease fire presentation during our first year, and they gave a pretty extensive one. I think that they've got college material that they are accustomed to going through so I don't think it will be an issue for them to do that.

Regina Jackson: Sure, no problem. Does anyone else have anything to say? It was a very interesting meeting. When you try to put four or five agencies together, that's a lot of information so there were notes and notes. But we don't have any leave behinds or any assignments so if there are no other comments or questions, we can go to public comment.

John Alden: Okay. Public comment then. We have it looks like one, two people in the queue. I'll get the clock ready.





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- Ginale Harris: Chair, this is Commissioner Harris. I think Mr. Bandabaila has been on hold. I don't know if it's on that end or his end, but he says he's been on hold and nobody picks up.
- Regina Jackson: Oh my goodness! Mr. Alden, can you see, I presume that he's calling on a phone, right?
- John Alden: Yes.
- Regina Jackson: Okay. Mr. Alden...
- John Alden: Yes, I do, and I can tell you that there is one phone number in the queue that has a hand raised to speak, and I'm not recognizing the number so maybe that's Mr. Bandabaila, and so I suggest we maybe try that individual, see if that's him, and if that's not him, I'm not sure what else to tell him because everyone else seems to be coming up in the queue so let's try the speakers and see what happens.
- John Alden: Our first speaker in the queue is from the number 3787. Person of 3787, you are unmuted so go ahead at your convenience.
- Fallah Bandabaila: Hello? Can you hear me?
- John Alden: [crosstalk 04:45:36] Yes, we can hear you. Go ahead and speak.
- Fallah Bandabaila: Thank you very much. First of all, I've been on this phone from eight PM. I've called three times. I'm glad that I'm talking to somebody. I want Miss. Harris to know that the Vanderbila family congratulates you very much. You are part of this family forever. The effort that you have put in [inaudible 04:46:04] with the police, we will never forget you. You are part of the Vanderbila family. As we move forward, this family is growing. We'd like to know where will you go? Because in the public eyes, let us know, whatever we can do, and we'll do it. Thank you very much for all that you have done. Whoever is going to help us when you leave, we will have to [inaudible 04:46:40]
- John Alden: Thank you, Mr. Bandabaila. Glad we were able to reach you. Our next speaker in the queue is Assata Olugbala. Go ahead.
- Assata Olugbala: Coalition for police accountability, you are a bunch of liars. You know that you targeted Janelle Harris. That's all I'm going to say, and I'll deal with you guys going on. I have the ability and the time to go to each one of those groups that's on the agenda, all four of them. I've gone to them for years, and you cannot adequately weigh in on policing, unless you stay in touch with all four of those groups, and what they're doing related to the police department. The city council, and all the rest of them. You have to be able to do that to be effective in weighing in on policing, and cease fire is problematic. If you don't know that, you need to go do some homework.
- Assata Olugbala: Walking in the streets is not working for cease fires.



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- John Alden: Thank you, Miss. Olugbala I'm sorry. Your time has expired. Madam Chair, I believe those are all the speakers we have in the queue on this item.
- Regina Jackson: Thank you very much. If you could advance the slide.
- John Alden: Working on it. There you go.
- Regina Jackson: Commissioner Anderson, did you want to take the lead on reporting out on this item?
- Tara Anderson: Sure. Thank you, chair. And given that you were there, as well as Director Alden, and others, can supplement what I might be missing. At Tuesday's city council meeting, the council heard a version one on the agenda for that meeting, which was presented by the Oakland Police Department and Interim Chief Manheimer. And then heard a presentation by me, representing the commission, and the version that we, as a commission, unanimously supported at our July 9th meeting of the commission. Preceding the commission, as I was preparing to get ready for my talking points, and understand what was in the materials, I came across a newer version of language, relative to the asphyxia portion of the policy. For those who have been following, there is agreement between the department and the commission on the carotid hold ban, and the choke hold ban.
- Tara Anderson: I would also reinforce that those were signed into law by the governor just a few days ago. Actually probably more like a week at this point. Now what remains in dispute is the language associated with asphyxia. I encourage everyone to watch for themselves the footage of the city council meeting, and question your representatives for the decisions they made. I would like to thank council members Cobb, Kaplan, and Bass for their support of the commission version, as we voted on on July the seventh. They decided to continue the item until October the 20th, in the hope that we might, as a commission, be able to reconcile some language with the department.
- Tara Anderson: What's important for me here is the characterization that there is just some simple language differences. In the language, as presented to council, there are not simple differences from my perspective. In the commission version, it prohibits throughout the course of the interaction contact known to result in death. The language as presented to council on Tuesday by the Department, would allow that contact to happen, preceding restraints. I think that is a very significant distinction. I hear that's not lost on many people who made a public comment. And I hear the fear that has been communicated by members of the department in this area.
- Tara Anderson: I trust their capacity to train to policy. I trust, because of the ongoing meetings that we had, under the scope of the use of force policy, that regularly we were told tactics belonged in the training bulletin. That is a summary from my perspective around Tuesday's events. The ultimate determination, as I shared, was continuing the item for October the 20th.
- Regina Jackson: Thank you, Commissioner Anderson. Your description and delineation was very thorough. I think that I can only add that I spoke with several council members who were looking for clarifications. I made statements that supported your argument, which was very eloquent, very thorough. I was



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quite surprised at the misrepresentation of the video calling out the fact that it was a knee, when we very clearly saw that it was a shin.

Regina Jackson: Quite frankly, I'm confused. When we unanimously passed the policy back in July, it was an urgency, and here we are still with no policy. And recognizing that just because police have policed a certain way forever doesn't mean that they can't learn how to do it differently and still be protected. When we talk about, and your ad hoc focused on wanting not to use any protocol or any tactic that could kill, and why we're having this argument now, I still don't know.

Regina Jackson: We want to move away from things that kill people, and I'm absolutely surprised, particularly at Council member Taylor, really surprised. You seem to want to talk to everybody. I recognize that there will be some more work done, and hopefully we can not lose the intention of the progressive nature of wanting to move police forward, and eradicate any of these protocols that can kill. I'm apoplectic. I don't even understand why we're still here. Does anybody else want to add to this conversation? Or have any questions? I see Commissioner [inaudible 04:55:06] hand up. You're unmuted.

Speaker 9: Thank you, Madam Chair. I just want to alert everyone, in case they didn't know, that the governor signed a deal recently, in the last week or so, that prohibited the use of the carotid restraint on the statewide basis, in any event so that bill, I believe it was not emergency legislation so it will take effect on January 1, but that is a statewide ban on the use of the carotid restraint.

Regina Jackson: Thank you very much. Are there any other questions from the commissioners? Okay. Not hearing any. We can go to public comment, but we have to extend our meeting. It's Commissioner Dorado I'm sorry?

Jose Dorado: Yeah, sorry, chair. I did have a question. My hand was up [crosstalk 04:56:16]

Jose Dorado: My question is where do we go from here? I feel like we've run into issues like this before where there was a discrepancy. I mean when we first looked at this policy, there was as discrepancy between what was agreed upon and what was brought to us in the meeting where we voted upon this. The meeting before when we voted upon this, and that was when we had to set up that ad hoc with Commissioner Smith and Commissioner Prather to wordsmith what we ended up with, right? That's how I remember that.

Regina Jackson: Yes.

Jose Dorado: And so, it feels as though they're not acting in good faith. If they genuinely felt like this was a thing that was not feasible for them and they really needed to address, they should've had this item agenda so that we could discuss it further but to present it at city council significantly changed, is clearly an act of bad faith, from my perspective.



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- Jose Dorado: So, what is the process now? How do we move forward in respectful negotiation around this? Given that situation has kind of happened twice now, I'm asking that to everyone here. Do we set up another ad hoc? Do we go back to the drawing board and wordsmith this again? Like you, I am very confused and frustrated by this process and I wish I had a clear path to move forward with this in my head but I honestly don't.
- Regina Jackson: No, your point is good and I like to give people the benefit of the doubt but I really feel like this was a disingenuous effort. I want to let Congresswoman [inaudible 04:58:36] . I believe that she is going to follow up with Sergeant Turner.
- Regina Jackson: The ad hoc that was in place is still in place. And I'm actually considering scheduling a meeting for a week from today, if in fact we think that we can get considerable movement because, this is still an urgent policy. We are dealing with fire danger, smoky, we're still in a pandemic and the most critical piece is, people can still get killed by this protocol when it's not necessary. I see commissioner Anderson's hand up, so maybe she can clarify what her thoughts are going forward.
- Tara Anderson: I just thought based on that question, first I want to acknowledge that the ad hoc is myself, commissioner Smith and commissioner Prather, so soon. And this is a testament to how long policymaking has happened under the scope of the commission, like two of the commission members of the ad hoc are now former or soon to be, when we're adjourned, former commissioners.
- Tara Anderson: It is quite a lengthy process and I appreciate your call out, alternate commissioner Jordan, about the distinction when we were brought up policy that we were told was a ban, which was actually silent on banning any conduct, and it needed to go back and be rewritten.
- Tara Anderson: As a matter of procedure, we as a commission, voted on a policy. Absent any other intervention, after a certain amount of time, which expires in the beginning of November, that policy stands.
- Tara Anderson: By continuing the item, the council has deferred their role for an additional two weeks for them to weigh in. Typically, they would weigh in as presented so there's the opportunity for them to receive a new recommendation from the department and compare that with the policy as voted on by the commission in July.
- Tara Anderson: Another alternative is, should we see an opportunity to modify language in any way? Which again, I very much hear and have directly experienced to the points, about questioning good faith effort. So whether or not we could compromise and agree, and then that obviously by the nature of how things work, would then negate the need for city council to weigh in.
- Tara Anderson: But it's a real question about good faith effort and really wanting to find the language that is responsive to the concerns of the department while maintains the intent and overall purpose of the policy. And today I have not seen any language that leads me to believe that's possible, but not to say that it's totally impossible either.



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- Tara Anderson: I will say, as it stands, we've had individuals once again, review our policy that we unanimously approved saying that it is trainable; people can train to this policy. We saw a demonstration on Tuesday, of how it could be trainable too from my perspective. I'm struggling as the rest of the commission with what next steps. I know what steps could happen, but what are realistically achievable, I still am not convinced as to what those are.
- Regina Jackson: So thank you very much, commissioner Anderson. Right now it's 1130, my suggestion is that we extend the meeting 15 minutes and go ahead and take public comment on the other items and table them. But we can figure out a way forward, because if there is some conversation that you think that you can have, that may move us forward, then we still have commissioner Smith.
- Regina Jackson: We still have duty for another week, and then I can appoint commissioner Harbin Forte to join the group, but we need to extend the meeting right now. So commissioner Harbin Forte?
- Brenda Harbin-Forte: Yes, I'll make the motion to extend the meeting. Madam chair, can we just make 30 minutes? Let's extend the meeting to midnight and try to be done by 1145?
- Regina Jackson: Okay, I'll second. We can take the vote to extend and then hear public comment on the items. Commissioner Harbin Forte?
- Brenda Harbin-Forte: Aye.
- Regina Jackson: Thank you, commissioner Harris?
- Ginale Harris: Aye.
- Regina Jackson: Thank you, commissioner Gage?
- Henry Gage, III: Yes.
- Regina Jackson: Thank you, commissioner Dorado?
- Jose Dorado: Aye.
- Regina Jackson: Thank you, commissioner Anderson?
- Tara Anderson: Aye.
- Regina Jackson: Thank you. Aye, for myself, commissioner Smith?
- Thomas Lloyd Smith: Yes.
- Regina Jackson: Thank you. So, the meeting is extended to midnight with hopes of getting out by 1145. It is late, so commissioner Anderson, would you like to try and think through some next steps? I mean, I



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heard you say it's possible, but it is also late and maybe something will percolate tomorrow, I don't know.

Regina Jackson: And I don't know how we can make a decision after your talks tomorrow to see if we want to convene a meeting a week from today to focus on this and a couple of other, fairly important items. It would be a special meeting. What is your thought?

Tara Anderson: It's the will of the commission and AM happy to proceed. And I think your suggestion is right on, that it's very late hour and regrouping tomorrow with appropriate next steps seems like the best approach.

Regina Jackson: Okay. Terrific. Alternate commissioner Jordan, is that satisfactory to you? It's been a...

David Jordan: Yeah. Let's approach it with clear heads and maybe a little sleep. I also just want to say that I'm willing to help out in any way that I can if this goes beyond the end of commissioner Anderson's term, I'm happy to help out. That's not a requirement here, but just making myself available.

Regina Jackson: Appreciate that very, very much. Very, very much. Thank you.

Regina Jackson: So with that, let's go to public comment and then we will potentially, we have how far we can get through or if we need to table the other items, Mr. Alden.

John Alden: Certainly. So if I'm following correctly, I'm starting to get a little groggy here too, we're doing a public comment on item 11; the update on the special order. So for those members of the public, who wish to comment on this item, please raise your hand. Now, while I am switching us to our clock.

John Alden: Our first speaker appears to be Joseph Mente, looks like we have at least six speakers so far with a few more queuing up. Mr. Mente, you are unmuted go ahead.

Joseph Mente: Can you hear me? Yes, please start when you're ready. Joseph Mente, district one. I fully support the language that the commission put forth to the council, it's not a difference of opinion. As commissioner Anderson likes to say, words matter. When the time comes, please unanimously vote to send the existing language back to council as is, do not allow OPDs modifications.

Joseph Mente: I attended the city council meeting. I saw what you saw, I witnessed the gas sliding of commissioner Anderson. It seemed to me that council member Taylor is trying to fill the room in order to get cover, to vote for the OPD modifications. But it's very curious that the other members of the self-described equity caucus were silence. I urge you to communicate behind the scenes to whip the votes, make sure it is not an adverse vote in council. Thank you.

John Alden: Thank you. Our next speaker in the queue is Mariano Contreras , sir, go ahead. You're unmuted.





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- Mariano Contreras: I urge you commissioners, please do not change the language. Hold your ground. When commissioner Jordan asks, "Where do we go from here?" Just remember this move by the police going forward and also partner with us now, partner with us in community.
- Mariano Contreras: Let us do our lobbying. We will reach out to these city council people who just are not clear on this. They are being told a lie by the police department. Let us do this lobbying, but partner with us when we request your support for this. Thank you so much. Hold your ground.
- John Alden: Thank you, sir. Our next speaker in the queue, is Assata Olugbala. Miss Olugbala, you are unmuted. Go ahead.
- Assata Olugbala: Yeah. Do you all understand the politics of how the city council works? The city council has an allegiance to the police department taking their lead from the mayor, as it relates to police issue. They play this game where they always get one or two council members to support something that looks like they against the police, then they have never gone against the police and they never will.
- Assata Olugbala: Measure LL because of the coalition for police accountability, is so weak. You don't have any power to put anything for certain policies until the council says it's okay. And unless you wait 120 days, something like that, but understand your politics, you are part of a weak system that you're dependent on the council and the council will not go against the police unless the mayor says so
- John Alden: I'm so sorry, your time's expired. We'll move to our next speaker in the queue, listed as Reisa J. Reisa you are unmuted, go ahead.
- Reisa Jaffe: I haven't heard anything to tonight that says that you think there's anything that should be changed. I support other speakers who have said stand your ground. There's no reason just because OPD is playing tricky games, that you have to play along with them.
- Reisa Jaffe: Those of us on the side of social justice have to learn to play chess. We seem to always be playing checkers and everybody else was playing chess. We need to do better, so please stand strong. Thank you.
- John Alden: Thank you for your comments. Our next speaker in the queue is Rashida Grinage is Ms. Grinage, you are unmuted.
- Rashidah Grinage: Thank you. I want to follow up on what Mariano said and the other speakers as well. You should definitely not change a word of your policy and what the city council needs to understand is that they voted unanimously to put measure S-one on the ballot, to give you even more authority and resources. And what's the point of that, if they're going to undercut you? And I think that's the argument we are going to make with them. They can't have it both ways; they can't say, they want you to have more resources to do your work and then ignore your work. So I think, we will frame it that way and put them to the task. Thank you.



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- John Alden: Thank you, Ms. Grinage. Our next speaker in the queue is Megan Steffen. Megan Steffen, you are unmuted. Go ahead.
- Megan Steffen: Hi. Thank you. I just want to echo what everyone else has said; stand your ground. I think that, allowing yourself to be bullied like this, it's not going to make for good collaboration in the future. And also, I second, what a [Assata Alibaba 00:16:11] said. I think I wasn't surprised at all by how your policy was received. And I don't know what you need to do to talk to the council members, to get them to know that you're serious, but I hope that the next time I see you all in the council meeting in two weeks, it goes differently. The policy you have is good. Don't change a word. Thank you.
- John Alden: Thank you for your comments. Our last speaker in the queue is from a phone number that I'm fairly confident is Ms. Cathy Leonard. Go ahead, Ms. Leonard, you are unmuted on this end. Thank you very much, Mr. Alden. I'll just say that I second, everything that my colleagues, Mariano Contreras and Rashidah Grinage have said, "Stand your ground. We need to ban the carotid restraint and all forms of asphyxia. Thank you very much. Good night, everyone. Thank you for your comments. Madam Chair, I believe those are all the speakers in the queue. I'll turn the meeting back to you.
- Regina Jackson: Thank you very much. So commissioner Anderson, you and I will talk tomorrow and figure out a way forward, and then you can communicate with the rest of the ad hoc and let's go for it. Meanwhile, we will get our program together to talk to the council members, because this is ridiculous. Why don't you go ahead and advance the slide to the next item please, Mr. Alden.
- John Alden: Certainly. Okay. Item 12 is on the screen.
- Regina Jackson: Thank you very much. We have the minutes of September 21 that we will review. Are there any edits to the minutes of September 21, commissioner Dorado?
- Jose Dorado: I don't believe anybody has any edits to the minutes, so I'm going to make a motion, we improve.
- Regina Jackson: Very good, commissioner Gage.
- Henry Gage, III: Second.
- Regina Jackson: Thank you. It has been properly moved and seconded, that we accept the minutes of September 21. I'd like to have us take a look at September 24, before we go to public comment. Does anybody have any edits to September 24th?
- Regina Jackson: Hearing none. I'll accept a motion to accept the minutes of September 24th. Commissioner Dorado?
- Jose Dorado: [Get it moved. 05:16:20]



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- Regina Jackson: Thank you. Is there a second?
- Brenda Harbin-Forte: Harbin-Forte seconds.
- Regina Jackson: Thank you very much. It has been properly moved and seconded, that we accept the minutes of September 24th. When we've finished taking public comment, then we will vote on each of the minutes individually. Mr. Alden it's all yours.
- John Alden: Hey, very good. Are there any members of the public who wish to comment on this issue of meeting minutes approval? Please raise your hands now. So far we have none, so give people one more moment here. Madam chair, it appears we have no one who's raised their hand to comment on this item.
- Regina Jackson: Okay. Thank you very much. I am happy to take a vote on the acceptance of minutes from September 21 and 24. Commissioner Harbin-Forte?
- Brenda Harbin-Forte: Aye.
- Regina Jackson: Thank you, commissioner Harris?
- Ginale Harris: Aye.
- Regina Jackson: Thank you, commissioner gage?
- Henry Gage, III: Yes.
- Regina Jackson: Thank you. Commissioner Dorado?
- Jose Dorado: Aye.
- Regina Jackson: Thank you, commissioner Anderson?
- Tara Anderson: Aye.
- Regina Jackson: Thank you. I for myself and commissioner Smith?
- Thomas Lloyd Smith: Abstain.
- Regina Jackson: Okay. Six affirmative, one abstention. Let's move to the next item.
- Thomas Lloyd Smith: One question, did you vote on both separately?
- Regina Jackson: No, I didn't. Sorry. Okay. So, well actually-



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Thomas Lloyd Smith: I thought you were voting on the first.

Regina Jackson: We voted-

Thomas Lloyd Smith: I thought that was the 21st, was that the 21st?

Regina Jackson: That's fine, thank you. I'm sorry, I'm a little sleepy myself. Commissioner Gage?

Henry Gage, III: For voting on the 24th of okay.

Regina Jackson: Okay. Thank you very much. We're voting on the 24th. So commissioner Dorado?

Jose Dorado: Aye

Regina Jackson: Thank you. Commissioner Smith?

Thomas Lloyd Smith: Yes.

Regina Jackson: Commissioner Harbin-Forte?

Brenda Harbin-Forte: Aye

Regina Jackson: Thank you. Commissioner Harris?

Ginale Harris: Aye.

Regina Jackson: Thank you, commissioner Dorado.

Jose Dorado: I, again.

Regina Jackson: Oh, I'm sorry. Commissioner Anderson.

Tara Anderson: Aye.

Regina Jackson: Aye for myself. Okay, it's a unanimous that we accept the minutes of September 24th. Approve the minutes to September 24th. Agenda setting- We've already discussed the possibility of bringing Mr. Cespedes to present on the work of the violence prevention. I'm hoping to bring back three bids for facilitating the retreat. Are there other items that we need to agendaize, commissioner Gage?

Henry Gage, III: Thank you, chair. I have a request of the chief search ad hoc to provide an update and to publish the information the ad hoc feels is prudent on the feminist candidates.



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- Regina Jackson: Yes, sir. We will make sure that that happens. Thank you. Are there any other items that... Commissioner Harris?
- Ginale Harris: Thank you chair. I would request that there be a possible special meeting in regards to the Bey case.
- Regina Jackson: Okay. Thank you. So I'm thinking that, hopefully we can do that a week from today. Thank you. Any other suggestions? I still have to go back and look at the list that we have for prioritization. But since we're taking that meeting out of order, I'm going to ensure that it's not a midnight meeting. Commissioner Dorado?
- Jose Dorado: At some point, there maybe not the next meeting. I'd like to give a short update on 15-01. [crosstalk 05:21:25] We still have yet the ad hoc styles we have to meet, but we're going to be meeting as soon as we can arrange it.
- Regina Jackson: Okay. Sounds good. Thank you. If there are no other suggestions, we can go to public comment, Mr. Alden.
- John Alden: Okay. Our public comment queue is open, if there's anyone who wishes to comment on this most recent item, please raise your hand now. I'll switch over to our clock. It's like we have two speakers, the first is Assata Olugbala. Ms. Olugbala, you are unmuted, please go ahead.
- Assata Olugbala: Yes. If this body is suggesting that the issue of white supremacy be weighed upon, it is necessary that you look at the recommendation of the privacy commission that's going before the public safety committee meeting, the next public safety committee meeting, which is a recommendation to abolish the joint terrorism task force. That is the group that would weigh in on domestic terrorism, white supremacy. So, if that is going to happen where we don't have an official policing body that looks at domestic terrorism, who's going to do it. And if you are going to be saying it's necessary to look at white supremacy and to concentrate on it, and they're looking at eliminating the joint terrorism task force, who's going to do it?
- John Alden: Thank you, Ms. Olive Bella. Sorry but your time expired. Our next and final speaker is Rashidah Grinage. Ms. Grinage, go ahead.
- Rashidah Grinage: Yeah. I just wanted to request that there be a follow up on the search for the new police chief and a discussion about the process and the level of community involvement or engagement that would adopt. Thank you.
- John Alden: Thank you, Ms. Grinage. Madam chair, those are all the speakers we have in the queue, on this item.
- Regina Jackson: Thank you very much. I believe the last item is adjournment, if I remember correctly. Thank you. I will receive a motion to adjourn.



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Thomas Lloyd Smith: Moved.

Regina Jackson: That was that, there commissioner Smith?

Thomas Lloyd Smith: Yes.

Regina Jackson: Okay. We're good. The seconds are just running out here. Commissioner Gage? No, who was that, the second?

Ginale Harris: That was me. Commissioner Harris.

Regina Jackson: Harris, thank you very much. Okay, so it's been properly moved and seconded. Can we vote to adjourn ,please? Commissioner Harris?

Ginale Harris: Aye.

Regina Jackson: Thank you. Harbin-Forte?

Brenda Harbin-Forte: Aye.

Regina Jackson: Thank you, Smith?

Thomas Lloyd Smith: Yes.

Regina Jackson: Thank you, Anderson?

Tara Anderson: Aye.

Regina Jackson: Thank you, Gage?

Henry Gage, III: Yes.

Regina Jackson: Thank you. Dorado?

Jose Dorado: Aye.

Regina Jackson: Aye, for myself. Long, very important meeting. Thank you very much. We are adjourned.

John Alden: Good-bye commissioners, we'll miss you.

Regina Jackson: Well, we're going to be back here next